DOCUMENT RESUME

ED 147 704 CG 012 039

TITLE	Safe Streets Reconsidered: The Block Grant Experience 1968-1975. The Intergovernmental Grant System: An Assessment and Proposed Policies.
INSTITUTION	Advisory Commission on Intergovernmental Relations, Washington, D.C.
SPONS AGENCY	Department of Health, Education, and Welfare, Washington, D.C.; National Inst. of Law Enforcement and Criminal Justice (Dept. of Justice/LEAA), Washington, D.C.
PUB DATE	Jan 77
NOTE	217p.; For related document, see CG 012 040 ; Some pages are marginally legible due to type size
AVAILABLE FROM	Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402
EDRS PRICE	MF-$0.83 HC-$11.37 Plus Postage.
DESCRIPTORS	*Crime; *Federal Aid; *Federal Legislation; Followup Studies; Government Publications; Program Evaluation; *Safety; *State Federal Aid
IDENTIFIERS	*Block Grants

ABSTRACT

This report is Part 1 of the Advisory Commission's second assessment of the Omnibus Crime Control and Safe Streets Act of 1968; the first assessment took place in 1970. The purpose of this report is to determine how well the block grant has worked since that time and what statutory and administrative changes are desirable. The report is divided into two major sections: (1) legislative and administrative history of the program, and analyzing, planning and funding activities at state, regional and local levels; and (2) issues and perspectives of the program with recommendations for improving the act and its administration. (PFS)

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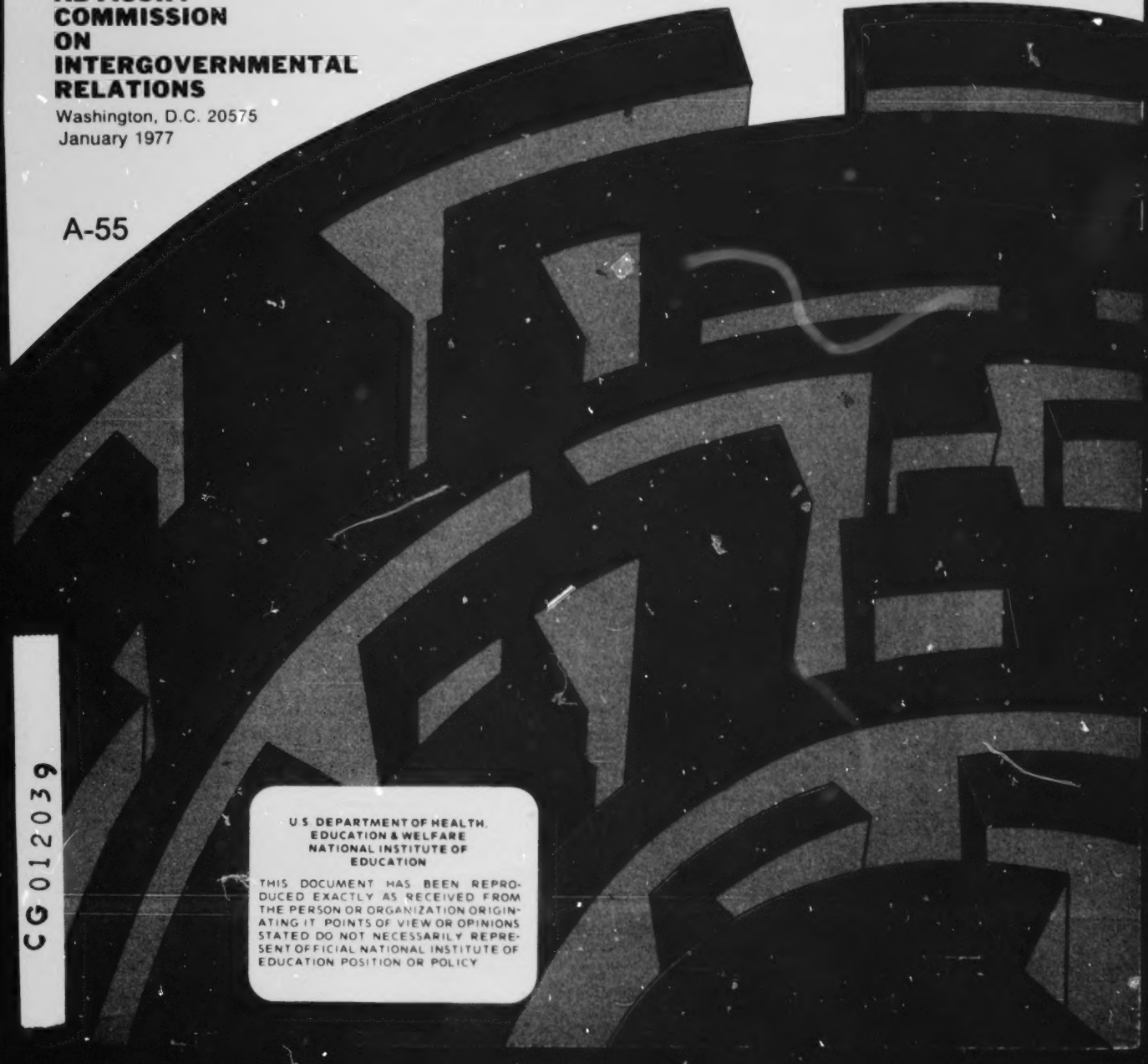
Safe Streets Reconsidered: The Block Grant Experience 1968-1975

THE INTERGOVERNMENTAL GRANT SYSTEM:
AN ASSESSMENT AND PROPOSED POLICIES

ADVISORY
COMMISSION
ON
INTERGOVERNMENTAL
RELATIONS
Washington, D.C. 20575
January 1977

A-55



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Preface

Pursuant to its statutory responsibilities outlined in Section 2 of Public Law 380, passed by the first session of the 86th Congress and approved by the President on September 24, 1959, the Commission singles out for study and recommendation particular problems impeding the effectiveness of the federal system.

The block grant instrument was identified as such an important intergovernmental problem by the Commission in September 1974. The staff was directed to prepare an analysis of experience under four of the five Federal grant-in-aid programs existing at that time that employ this approach: the *Partnership for Health Act of 1966;* the *Omnibus Crime Control and Safe Streets Act of 1968*; the *Comprehensive Employment and Training Act of 1973*; and the *Housing and Community Development Act of 1974*. The assessment of each of these programs and the lessons gained therefrom is one component of the Commission's comprehensive study of *The Intergovernmental Grant System: An Assessment and Proposed Policies*.

This report is the Commission's second look at the *Safe Streets Act*. In our 1970 report, *Making the Safe Streets Act Work: An Intergovernmental Challenge*, we concluded that the block grant was "a significant device for achieving greater cooperation and coordination of criminal justice efforts between the States and their political subdivisions." The Commission recommended that the Congress retain the block grant approach and the states make further improvements in their operations under the act. The purpose of this later report is to determine how well the block grant has worked since that time and what statutory and administrative changes are desirable now.

This report was approved at a meeting of the Commission on November 17, 1975.

Robert E. Merriam
Chairman

Acknowledgments

This volume was prepared by the Governmental Structure and Functions section of the Commission. Major responsibility for the staff work was shared by Carl Stenberg – project manager – and Lynn Dixon, Keith Miles, H. J. "Skip" McDonough, Barbara Norton, and Marianne Zawitz. Valuable statistical assistance was provided by Dorothy Lawrence, Lin Lee, and Ian Littman. The secretarial-clerical services of Margaret Moore – project secretary – Patricia Alston, Ann Goldsmith, Janet Graves, Marguerite Philpot, and Linda Silberg were indispensible. Joseph Foote and staff provided expert editorial and production services. Library assistance was furnished by Carol Monical Wright.

The Commission and its staff had the benefit of review by and comment on this work from a large number of persons knowledgable about law enforcement and criminal justice. Those who were involved in "thinkers" and "critics" sessions on the scope, methodology and results of the study, or who reviewed individual draft chapters, included: John Pickett, James Gregg, Robert Diegelman, Blair Ewing, Charles Lauer, and Daniel Skoler, of the Law Enforcement Assistance Administration; Richard Harris, Richard Wertz, and Henry Wiseman, of the National Conference of State Criminal Justice Planning Administrators; Mark Alger of the Executive Management Service, Inc.; Richard Fogel, Richard Groskin and Ronald Wiggins, of the General Accounting Office; Clifford Graves, Robert Gardner and Donald Smith, of the Office of Management and Budget; Ava Abramowitz of the U.S. Department of Justice; Richard Nathan of the Brookings Institution; Susan White of the National Academy of Sciences; James Martin and John Lagomarcino, of the National Governors Conference; John McKay and Nancy Loving of the National League of Cities-U.S. Conference of Mayors; Duane Baltz and Donald Murray, of the National Association of Counties; Jeffrey Esser of the National Conference of State Legislators; Ralph Webster, of the National Association of Regional Councils; and Stanley Wolfson, Barbara Grouby, Mary Schellinger and Carole Pigeon, of the International City Management Association.

A special note of thanks is extended to the executive directors and professional staff members of the ten state planning agencies in the states selected for case study analysis – for their patience, cooperation and assistance. In addition, the Commission wishes to express its appreciation to Jane Roberts, consultant to the National Conference of State Criminal Justice Planning Administrators, for her valuable assistance during the data collection phase of this report.

The Commission gratefully acknowledges financial assistance from the National Institute of Law Enforcement and Criminal Justice of the Law Enforcement Assistance Administration and the U.S. Department of Health, Education and Welfare.

Completion of this study would not have been possible without the help of the persons and agencies identified above. Full responsibility for content and accuracy rests, of course, with the Commission and its staff.

Wayne F. Anderson
Executive Director

David B. Walker
Assistant Director

GLOSSARY

Listed below is a glossary of terms that occur in this report. References to the "act" are to the Crime Control Act of 1973 (Public Law 93-83).

A-87—the Office of Management and Budget circular containing Federal regulations on project costs in grants to state and local governments.

A-95—the Office of Management and Budget circular establishing a process for project notification and review to facilitate coordinated planning and project development on an intergovernmental basis for certain Federal assistance programs.

A-102—the Office of Management and Budget circular establishing a uniform administration requirement for grants-in-aid to state and local governments.

Assumption of costs—the process by which a state or local government assumes the cost of a program after a reasonable period of Federal assistance.

Block grant—the LEAA funds awarded to a state as its Part C annual action grant. The block grant accounts for 85 percent of appropriations under this part of the act.

Buy-in—under Section 303(2), Part C of the act, states are required to contribute at least half of the non-Federal funds for a local project.

CJCC—criminal justice coordinating council.

Comprehensive plan—a document containing a state's total statement of criminal justice resources, problems, priorities and planned programs. Com-

prehensive plans are prepared annually and submitted to LEAA for approval.

Continuation funding—continued Federal funding of a project beyond the initial award period.

Crime index offenses—offenses aggregated in the annual FBI "Uniform Crime Reports." The seven index offenses are: criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft and motor vehicle theft.

Discretionary grant—the money LEAA awards to individual state or local agencies to initiate, continue, improve or expand on a particular criminal justice program. Award of discretionary grants is contingent upon LEAA's approval of a discretionary grant application. Discretionary grants account for 15 percent of the action funds allocated annually by LEAA.

GMIS—Grants Management Information System. Information from the grant award document and the grant manager is fed into a data bank in the LEAA central office. This information is updated by any changes that are made in the grant during the course of the project.

Hard match—grant money that is "matched" by the grantee with cash.

High Impact Anticrime program—an LEAA program implemented in 1972 in eight cities to reduce stranger-to-stranger crime and burglary and to demonstrate the effectiveness of crime-specific planning as a means of reducing crime.

Lapsed funds—funds not utilized that revert to LEAA and are reallocated among the states by LEAA.

LEAA—Law Enforcement Assistance Administration, part of the U.S. Department of Justice.

Match—the contribution that states are required to make to supplement Federal grant monies.

NCJISS—National Criminal Justice Information and Statistics Service, operated by General Electric for LEAA.

NCSCJPA—National Conference of State Criminal Justice Planning Administrators.

NILECJ—National Institute of Law Enforcement and Criminal Justice, part of LEAA.

90-day rule—the statutory requirement whereby applications for block grants from units of local government must be approved or disapproved no later than 90 days after receipt by the SPA.

OLEA—Office of Law Enforcement Assistance, the predecessor to LEAA.

ORO—Office of Regional Operations, part of LEAA.

Part B/Planning Grant—Part B of Title I of the act provides for the creation of the state planning agencies and the allocation of funds to the state planning agencies for criminal justice planning purposes. There are two kinds of planning grants—advance and annual.

Part C/Action Grant—Part C of Title I of the act provides for funds to carry out various programs planned under Part B of the act. Eighty-five percent of the action funds are allocated in block grants based on population; 15 percent of the action funds are distributed as discretionary grants.

Part E—Part E of Title I of the act provides funds for the improvement of correctional facilities. Fifty percent of Part E allocations are distributed on a formula basis and 50 percent are discretionary grants.

Pilot Cities program—a broad-based test and implementation program designed to improve each aspect of the criminal justice system in two medium-size cities—San Jose, Calif., and Dayton, Ohio.

RPU—regional planning unit.

SAC—Statistical Analysis Center. About 35 states have SACs, whose function is to provide and disseminate objective analysis of criminal justice data.

Soft match—grant money that is "matched" by something other than money, such as personnel, facilities, etc.

SPA—state criminal justice planning agency.

Special conditions—specific conditions attached by LEAA to a comprehensive plan, block grant or discretionary grant.

Troika—the three-person administration that headed LEAA prior to the 1971 amendments to the Omnibus Crime Control and Safe Streets Act of 1968.

Uniform Crime Reports—annual compilation of crime index offenses published by the FBI.

Variable pass-through—under amendments to Section 303(2), Part C of the act, states are required to pass through to local units of government a percentage of action funds equal to their share in total non-Federal expenditures for law enforcement during the preceding fiscal year.

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Chapter I

Introduction

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 was a bold experiment in intergovernmental relations. Conceived in the wake of political assassinations, urban civil disorders and campus unrest, the act embodied the Federal government's first comprehensive grant-in-aid program for assisting state and local efforts to reduce crime and improve the administration of justice. Moreover, the instrument used to dispense Federal funds was a sharp departure from the traditional categorical grant, which has tended to focus on specific areas of national priority, reduce the latitude given to recipients, increase the influence of Federal administrators and require compliance with numerous conditions. Instead, Congress opted for a block grant approach that assigned the major share of responsibility for planning, fund allocation and administration of the program to state governments.

BLOCK GRANT CHARACTERISTICS

A block grant has five major characteristics that distinguish it from a categorical grant:

- A block grant authorizes Federal aid for a wide range of activities within a broad functional area;
- Recipients are given substantial discretion in identifying problems and designing programs to deal with them;

- Administrative, fiscal reporting, planning and other federally established requirements are geared to keeping grantor intrusiveness to a minimum, while recognizing the need to insure that national goals are accomplished;
- Grants are distributed on the basis of a statutory formula, which narrows grantor discretion and provides some sense of fiscal certainty for grantees; and
- Eligibility provisions are fairly specific and tend to favor general purpose governmental units.

SAFE STREETS AND THE BLOCK GRANT EXPERIMENT

Although the Safe Streets Act was technically not the first Federal block grant effort, it was the first
2 Federal program designed to operate as a block grant from its outset—as opposed to being a consolidation of previously separate categorical programs.*

Implementation of the Safe Streets program by the Law Enforcement Assistance Administration (LEAA) and the state planning agencies (SPAs) for criminal justice has been characterized by controversy from the beginning. Although many issues have been raised, much of the debate has focused on the desirability of block grants to states versus other forms of Federal assistance. At the one extreme, direct aid to localities on a project-by-project basis has been a long-standing alternative; at the other, distribution of funds to state agencies and local units in accordance with a revenue sharing approach has been a more recent proposal.

Realizing that the success or failure of the block grant experiment would strongly influence the course of future Federal grant-in-aid policy, in 1970 the Advisory Commission on Intergovernmental Relations (ACIR) assessed the early experience under the planning and action grant provisions of the statute and issued a report, "Making the Safe Streets Act Work: An Intergovernmental Challenge." The commission concluded then that although there had been some gaps in the states' responses to the needs of high-crime areas, the block grant was "a significant device for achieving greater cooperation and coordination of criminal justice efforts between the states and their political subdivisions." It recommended that Congress continue the block grant experiment and that the states make further efforts to target funds and improve their operations under the act.

*The Partnership for Health Act, approved by Congress in 1966, was technically the first Federal block grant program. Under that statute, 16 previously separate categories of assistance were consolidated into one broad grant for comprehensive health services.

PURPOSE OF THE 1975 STUDY

Five years later, the ACIR launched a second examination of the Safe Streets program as part of its comprehensive study of *The Intergovernmental Grant System: An Assessment and Proposed Policies*. The commission's current interest is twofold. First, Safe Streets provides an opportunity to review the operation of the block grant instrument over a multi-year period; sufficient time has passed to arrive at some firmer judgments about the program's strengths and weaknesses and to develop strategies for change. Second, the experience of Federal, state, sub-state regional and local agencies in planning and programming under the Safe Streets Act can provide important information for policy-makers to use in considering new block grant proposals or existing programs in the health, community development, manpower and social services areas that embody this approach.

Seven years have passed since President Lyndon B. Johnson signed the Safe Streets Act into law. In 1968, criminal justice was lacking not only a body of knowledge for planning, but also academic attention as a separate discipline. Few states, regional bodies or localities had undertaken any comprehensive planning activities in this area before passage of the Safe Streets Act. Even the first state plans produced under the statute were little more than project listings. But by 1975, the state-of-the-art had changed greatly: a new profession—criminal justice planning—had emerged. State planning agencies had experimented with and implemented alternative planning models and techniques. Although systems improvement began as and has remained the preferred approach, a crime-specific model gained impetus with the launching of LEAA's High Impact Anticrime Program (Impact Cities Program) in 1972. More recently, with the report of the National Advisory Commission on Criminal Justice Standards and Goals, a third method—the adoption by individual states of specific standards and goals for criminal justice and the delineation of programs

and funding criteria to encourage their implementation—has gained attention.

The nation's understanding of the crime problem has also changed over the past seven years. No longer is the answer to lawlessness seen as simply more and better-equipped police. It is now almost conventional wisdom that preventing and controlling crime is more than a matter of detection and apprehension, that the efficiency with which offenders are processed and the effectiveness with which they are rehabilitated are vital to enhancing respect for the law and possibly to deterring criminal behavior. It is also generally recognized that crime is a complex societal problem that cannot be solved solely by investing substantial resources in improving the processing of offenders.

Despite these advances, serious questions about the program's impact continue to be raised. Although it abated slightly during the early 1970's, the rising crime rate continues to be a major public concern. In 1974, the reported crime rate increased by 17 percent, and since 1968, the rate of violent crime has increased by 57 percent. Yet, a major assumption underlying the Safe Streets Act is that money makes a difference—the more funds available, the greater the possibility of reducing crime. Does the increase in reported crime, then, reflect the failure of the program to achieve its objectives?

The 1971, 1973 and 1974 amendments to the act reflect the changing congressional understanding of the nature of the crime problem, the responses to pressures from various functional interests and the politicization of the crime issue. The title and the emphasis of the statute have both been altered—from "Safe Streets" in 1968 to "Crime Control" in 1971 and 1973.* The initial emphasis on better law enforcement to curb domestic violence has given way to a growing awareness of the needs of the criminal justice system as a whole.

Congressional earmarking of funds for specific functional areas, such as corrections and juvenile delinquency, has converted Safe Streets into a "hybrid" block grant and raised questions about the extent of discretion to be accorded states and localities in tailoring Federal assistance to their own needs and priorities. Categorization pressures continue to be exerted by those who complain that not enough money has been distributed to those jurisdictions having the greatest problems or among those functional areas having the greatest needs.

Since the earlier ACIR report, there have also been changes in the Federal administration of the program. In 1971, Congress abolished the so-called "troika" arrangement and vested responsibility in a single administrator of LEAA. But controversy and confusion have continued to surround the question of the proper Federal role in administering a block grant. Frequent changes in leadership at the Federal and state levels have exacerbated this issue.

ACIR began the current study by identifying the issues surrounding the block grant instrument in general and the Safe Streets program in particular and found that several concerns that were addressed in 1970 merited continued attention. The issues presented below formed the framework of ACIR's 1975 inquiry.

- What were the original objectives and the expectations of Congress in enacting the Safe Streets Act and how have they been modified over the years?
- To what extent has LEAA provided appropriate leadership for the Safe Streets block grant program?
- What is the nature and extent of the states' capacity to plan for block grants and how has it changed since 1969?
- In what ways does the SPA relate to the governor, the legislature and other state criminal justice agencies?
- What is the organization and function of regional planning units (RPUs) and how do they relate to the SPA, other regional planning bodies and local governments?
- To what extent has the total amount of planning funds available to state and local governments and regional units provided for the most effective use by each level?
- What groups are represented on the SPA and RPU supervisory boards, and what impact does their representation have on the distribution of funds?
- What portion of total state and local expenditures for police, courts and corrections do Safe Streets block grant funds account for, and have Federal dollars had an additive, stimulative or substitutive effect?

*The term "Safe Streets Act" is used throughout this report to refer to the LEAA enabling legislation during the seven-year scope of the Commission's study. Where "the act" is used, the report refers to the law in effect at the time.

- For what purposes have Safe Streets block grants been used, how have these changed over the past seven years and has a jurisdictional and functional balance been achieved?
- To what extent do the current "action" funds pass-through formulas reflect the most appropriate balance between state and local needs?
- To what extent have SPAs developed efficient and effective subgrant award procedures?
- What effects have the categorization of the block grant and the earmarking of funds, as well as other requirements imposed by the Federal and state governments, had on the flexibility and discretion of recipients in planning, administration and resource allocation?
- To what extent have state and local agencies assumed the costs of block grant-supported activities over time?
- What is the relationship between the uses of Safe Streets block grants and local government general revenue sharing outlays?
- To what extent have the activities supported by Safe Streets block grants been evaluated at the Federal, state, regional and local levels?
- For what purposes have LEAA discretionary funds been used a[illegible] have these changed over the past se[illegible] years?
- Has the Safe Streets program played a role in bringing about significant improvements in the criminal justice system at the state, regional and local levels?
- As a result of the block grant approach, do the various components of the criminal justice system view themselves as a part of a highly integrated and interdependent system?
- To what extent has the block grant enhanced the authority of elected chief executive and state legislative officials and administrative generalists in planning and managing Federal aid?
- To what extent has the Safe Streets program fulfilled the objectives and expectations associated with use of the block grant instrument?

DATA SOURCES

The study of the operation of the Safe Streets program since 1968 was conducted by the ACIR research staff between March and November of 1975.

The research team discovered that, despite growing national interest in the program, there was a general lack of reliable information concerning Safe Streets operations over the years. Hence, much time and effort was devoted to the development, compilation and analysis of data needed to compensate for this deficiency.

Data for the study were gathered from three major sources: ACIR national surveys, information supplied to LEAA by the states and ACIR field observations of the program.

In the national surveys, three different questionnaires, designed to gather factual and attitudinal information, were mailed to representatives of the state planning agencies, regional planning units and selected local governments. The questionnaires are described briefly below.

SPA Questionnaire. This instrument was developed in cooperation with the National Conference of State Criminal Justice Planning Administrators and distributed to all 55 SPAs in May 1975. The 54-page, 114-question instrument covered a wide range of organizational, operational and financial activities at the state level. By October 31, 1975, 51 SPAs (93 percent) had replied; Alabama, Kansas, New York and Puerto Rico had not responded.* (See Appendix A, Report A-55a.)

RPU Questionnaire. A major void in data about the Safe Streets program concerned the operations of the regional planning units. To help fill this gap, ACIR prepared, with the assistance of the National Association of Regional Councils, a mail survey instrument. The questionnaire was distributed in June 1975 to the 460 regional units that perform criminal justice planning, according to the list developed by the National Institute of Law Enforcement and Criminal Justice. By the end of October, 74 percent of the RPUs had replied. Fifty-eight percent of the respondents were multi-purpose regions; the remainder were single-purpose. There

*Alabama's questionnaire arrived one week after this date and was included in the tabulations; New York's questionnaire was returned in February 1976 and was not included

was some overrepresentation of heavily populated regions and of those reporting an average crime rate. Overall, however, the sample appears to be representative. (See Appendix B, Report A55a.)

Local Questionnaire. To probe the attitudes of local officials concerning the operation, effects and necessary changes in the Safe Streets program, ACIR staff developed a questionnaire in cooperation with the National League of Cities-U.S. Conference of Mayors, the National Association of Counties and the International City Management Association. This instrument was sent to the chief executive officer of all cities and counties of 10,000 population or more in July 1975. By October, responses had been received from 44 percent of the 2,301 cities and 30 percent of the 2,244 counties surveyed. (See Appendices C and D, Report A-55a.)

Although the questionnaires were sent to the directors of SPAs and RPUs and to the chief executive officers of local governments, a variety of persons prepared the responses. In general, the SPA questionnaires were completed by the executive director individually or, more commonly, by appropriate department heads working in conjunction with the director. Usually the staff director or chief planner responded for the regional planning units. The local questionnaires were generally answered by the mayor, chairman of the county board of supervisors, or the chief administrative officer. However, a substantial number of these officials routed the questionnaire to the police department or sheriff's office. To ensure that the responses from law enforcement officials did not skew the results of the survey, most of the questions were tabulated on the basis of the respondent's position as well as population, region, form of government, and type of community; no significant differences in the views of these officials were apparent.

To supplement the heavily subjective nature of the mail surveys, the FY 1976 planning grant applications submitted by the states to LEAA were examined. By late October, data supplied by 52 of the 55 SPAs had been compiled. This information dealt with the composition of the SPA supervisory boards, the size and functions of state and regional staff, the number of RPUs, the SPA budget, the number of cities and counties eligible for planning or action funds and the status of waivers. Because the planning grant applications were analyzed prior to their review and approval by LEAA, some deficiencies or inaccuracies may have existed that had not yet been corrected.

Another source of data for the report was LEAA's Grants Management Information System (GMIS), which covers Part B, C and E block grant awards, as well as discretionary fund allocations. Although GMIS offers the best data available on Safe Streets funding, incomplete reporting and inconsistent classification pose reliability problems. The specific strengths and limitations of GMIS data are explained in depth in Chapter V of the report.

The third major data source was the case study. In order to gain firsthand impressions of the operation of the Safe Streets block grant under differing state-local conditions, the ACIR research team selected 10 states to be observed during May, June, July and August 1975. Factors used in the selection process included population, crime rates, degree of decentralization, state-local expenditure mix, location of the SPA and overall reputation of the SPA. One to two weeks of field work were conducted in each of the states. An ACIR field team visited at least two regions, two counties and two cities in each case study state. The impressions gained from the 483 interviews were supplemented by information from the state comprehensive plans, planning grant applications, GMIS and ACIR questionnaires. A complete discussion of case study methodology is contained in Chapter VIII.

Information from the Bureau of the Census, the Federal Bureau of Investigation, the General Accounting Office, various congressional committees, public interest groups, academicians and other sources has been used in appropriate parts of the report.

ORGANIZATION OF THE REPORT

This report is divided into four major sections. The first contains background chapters describing the legislative and administrative history of the program and analyzing planning and funding activities at the state, regional and local levels. The second discusses issues and perspectives concerning the Safe Streets program and the block grant instrument, and offers recommendations for improving the act and its administration. The third presents a comparative analysis of the 10 case studies of Safe Streets experience and individual state reports. The final section contains the questionnaires used in ACIR's 1975 Safe Streets survey and response rate tables.

Part I

The Seven-Year Record

Chapter II

Congress and Safe Streets: Continuity and Change in Intent

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The decade of the 1960's brought rapid social change to the United States generated by the post-war baby boom and by population migration and metropolitanization. Accompanying this phenomenon was an increase in crime. Antiwar protests and racial disorders in the central cities of the nation also contributed to the growing public concern about personal safety and the protection of property. The climate was ripe for crime to become a political issue.

THE WAR ON CRIME

The call to combat crime was first heard in the 1964 Presidential campaign when Republican candidate Barry M. Goldwater frequently referred to the "breakdown of law and order" in his campaign speeches. President Lyndon B. Johnson also addressed the crime issue in the 1964 campaign. While expressing concern about developing a national police force and removing the basic responsibility for law enforcement from state and local officials, on March 8, 1965, he submitted a Special Message to Congress on Law Enforcement and the Administration of Justice—the first presidential message to the Congress devoted exclusively to crime—which asserted that crime was no longer merely a local problem but had become a national concern, and that the trend toward lawlessness must be reversed by a concerted "War on Crime" waged at all levels of gov-

ernment. Although the President tended to stress the police and law enforcement themes, he also indicated that all components of the criminal justice system were vital to fighting crime:

> This message recognizes that crime is a national problem. That recognition does not carry with it any threat to the basic prerogatives of state and local governments. It means, rather, that the Federal government will henceforth take a more meaningful role in meeting the whole spectrum of problems posed by crime. It means that the Federal government will seek to exercise leadership and to assist local authorities in meeting their responsibilities.[1]

In this message, the President announced the establishment of the President's Commission on Law Enforcement and Administration of Justice, which was charged with investigating the causes of crime and proposing recommendations to improve its prevention and control. As a follow-up to the message, the President sent to the Congress legislation calling for the creation of a pilot program of Federal grants to "provide assistance in training State and local enforcement officers and other personnel, and in improving the capabilities, techniques and practices in State and local law enforcement and prevention and control of crime."[2] The proposed Law Enforcement Assistance Act was the first Federal grant program "designed solely for the purpose of bolstering State and local crime reduction responsibilities."[3] It sought a modest $7 million annual appropriation and provided for the creation of an Office of Law Enforcement Assistance (OLEA).

The OLEA program was viewed by the Johnson Administration as experimental in nature, designed mainly to promote new ideas and support research and innovative programs. More specifically, it was intended to emphasize: (1) training of state and local law enforcement and criminal justice personnel; (2) demonstration projects and studies; and (3) collection and dissemination of information concerning effective crime control programs. Other noteworthy features of the bill were unspecified matching requirements, direction of the program by the attorney general and prohibition of any Federal control of a state or local law enforcement agency.

The House and Senate passed the measure with no opposition. Only one day of hearings was held in the House and three were held in the Senate. The focal point of the limited floor debate was the attorney general's possible interference in state and local law enforcement prerogatives and responsibilities. As a result of congressional concern over this issue, the final bill contained the clause:

> Nothing in the Act is to be construed to authorize any Federal department, agency, officer or employee to exercise any direction, supervision, or control over the organization, administration or personnel of any state or local police force or other law enforcement agency.[4]

The lack of congressional opposition to the legislation seemed to stem less from ideological reasons than from the fact that the amount of funds requested did not warrant much attention. Because of various criticisms and recommendations made by members of Congress, however, the thrust of the proposed legislation was shifted to law enforcement action rather than to research programs. Technological improvements in law enforcement and other activities that would have an immediate rather than a long-term impact on crime were emphasized.

The potential beneficiaries were not instrumental in the passage of the Law Enforcement Assistance Act, nor did they give it much vocal support. The police wanted more men and equipment—not studies and innovative programs. In fact, at its 1965 convention, the International Association of Chiefs of Police (IACP) passed a resolution against "any attempted encroachment by the Federal government into State or local government in the law enforcement field."[5] Likewise the courts reacted unfavorably to possible studies of judicial management. "Correctional officials were the only group that responded favorably to proposed Law Enforcement Assistance Act. Experimental projects, especially in the area of community based programs, had much support within correctional circles and demand for further experimentation was strong."[6]

Six months after his message on crime, the President signed the Law Enforcement Assistance Act of 1965, which authorized the attorney general "to make grants to, or contract with, public or private non-profit agencies . . . to improve law enforcement and correctional personnel, increase the ability of State and local agencies to protect persons and property from lawlessness, and instill greater public respect for the law."[7] The attorney general was given considerable discretion in awarding grants,

conducting research, providing technical assistance, disseminating information and evaluating programs.

The War on Crime was funded at a demonstration level, with congressional appropriations during the 1966-1968 fiscal year period ranging from $7.2 million in 1966 to $7.5 million in 1968. The program was not intended to be a major source of financial support. President Johnson, in his statement following the signing of the Law Enforcement Assistance Act, made this clear: "We are not dealing here in subsidies. The basic responsibility for dealing with local crime and criminals is, must be, and remains local."[8] The Law Enforcement Assistance Act, then, established the notion of Federal seed money to state and local criminal justice agencies as a legitimate Federal role in criminal justice and as a matter of national policy.

President's Commission on Law Enforcement and Administration of Justice

The President's Commission on Law Enforcement and Administration of Justice, generally referred to as the crime commission, resulted from a commitment first made in the State of the Union Message of Jan. 4, 1965, which was implemented by Executive Order on July 23, 1965. This action "provided additional direction and justification for the growing national involvement in criminal justice activities".[9] The commission, headed by Attorney General Nicholas deB. Katzenbach and composed of 18 members, worked for 18 months examining and interpreting information on the causes and extent of crime as well as possible solutions to the crime problem.

In its general report, "The Challenge of Crime in a Free Society," the commission concluded that crime could be reduced by striving for the following objectives:

- First, society must seek to prevent crime before it happens by assuring all Americans a stake in the benefits and responsibilities of American life, by strengthening law enforcement, and by reducing criminal opportunities.
- Second, society's aim of reducing crime would be better served if the system of criminal justice developed a far broader range of techniques with which to deal with individual offenders.
- Third, the system of criminal justice must eliminate existing injustices if it is to achieve its ideals and win respect and cooperation from all citizens.
- Fourth, the system of criminal justice must attract more and better people—police, prosecutors, judges, defense attorneys, probation and parole officers, and correction officials with more knowledge, expertise, initiative and integrity.
- Fifth, there must be much more operational and basic research into the problems of crime and criminal administration by those within and without the system of criminal justice.
- Sixth, the police, courts, and correctional agencies must be given substantially greater amounts of money if they are to improve their ability to control crime.
- Seventh, individual citizens, civic and business groups, religious institutions and all levels of government must take responsibility for planning and implementing the changes that must be made in the criminal justice system if crime is to be reduced.[10]

Among its some 200 recommendations, the commission specifically called upon the Federal government to expand its financial support to all components of the criminal justice system at the state and local levels by addressing eight major needs: (1) state and local planning; (2) education and training of criminal justice personnel; (3) surveys and advisory services concerning the organization and operation of agencies; (4) development of coordinated information systems; (5) initiation of a limited number of demonstration programs in criminal justice agencies; (6) scientific and technological research and development; (7) establishment of an institute for research and training of personnel; and (8) grants-in-aid for operational innovations.[11] At the same time, the report implied that crime control could be accomplished mainly by improving the criminal justice system.

The crime commission is also noteworthy for what it failed to accomplish. The commission did not discuss or set priorities for its recommendations, nor did it give direction regarding their implementation. Some commentators believe that this absence of priorities was deliberate, to avoid giving the impression of strong Federal control.[12]

The commission's unwillingness to give direction on how to channel Federal assistance to state and local governments and criminal justice agencies was unfortunate, because this could have provided more focus to the debate that would ensue concerning the proposed Safe Streets Act in 1967 and 1968.

The Block Grant Arrives

By 1967, rising crime rates were being viewed with growing concern by state, county, and city elected and law enforcement officials. Urban civil disorder had become a fact of life, and the crime commission and the National Advisory Commission on Civil Disorders had issued reports calling public attention to this problem. In this explosive environment, the question became not whether, but how to assist state and local crime control efforts. President Johnson's Feb. 6, 1967 message to Congress on "Crime in America" proposed the Safe Streets and Crime Control Act of 1967, to implement the recommendations of the crime commission.

The President recommended that Congress establish an extensive categorical Federal assistance program, amounting to $300 million in its second year of operation, to local governments primarily for law enforcement. The method of funding was to be consistent with the direct federalism approach that had been used in many of the Great Society social and urban development programs--direct aid to local governments bypassing state agencies. This Federal-local relationship was to become a controversial issue, in part because of the growing disenchantment with categorical grants-in-aid on the part of state and local governments and, to a lesser degree, in Congress. Moreover, contrary to customary presidential practice, little consultation with law enforcement officials had occurred before the proposed legislation was submitted to Congress.

The Administration's rationale for bypassing the states in administering the program and placing them on an equal footing with localities as recipients was based on a belief that: (1) law enforcement was mainly a local function and responsibility; (2) there would be long delays in gearing up state governments to prepare statewide comprehensive plans and to implement action programs; and (3) the states traditionally had little interest, expertise or financial stake in law enforcement. Attorney General Ramsey Clark contended:

> When you look at state governments and look at their involvement in local law enforcement, you will see that it is almost nil . . . the state doesn't have the experience, it doesn't have the people, it doesn't make the investment in law enforcement and police that local governments make. So they could not contribute.[13]

Strong pressures also existed to cling to the precedent of categorical programs. Supporters of the Administration's position contended that "the block grant approach would adversely affect local home rule and generate political conflict between the State and their counties and cities,"[14] and that Congress had the responsibility to see that Federal funds for law enforcement were wisely spent. As the attorney general stated:

> I think, when Federal funds are used there is a Federal responsibility to see that they are used for purposes deemed important for the Federal government and by this Congress.[15]

In its five major titles, the bill introduced in the House of Representatives (H.R. 5037) by Emmanuel Celler, Chairman of the Committee on the Judiciary, and in the Senate (S. 917) by John L. McClellan, Chairman of the Committee on the Judiciary, called for:

- Presidential appointment of a director of law enforcement and criminal justice assistance, subject to Senate consent, who would aid the attorney general in discharging the responsibilities under the act;
- Planning and action grants to be awarded to state and units of local government over 50,000 population covering 90 percent of the total cost to prepare comprehensive plans dealing with state-local problems of law enforcement and criminal justice, and 60 percent of the total cost of a broad range of programs designed to improve law enforcement and criminal justice with not more than one-third of any action grant being used for personnel compensation;
- Grants to be awarded conditioned on approval of the comprehensive plan and a five percent annual increase in the

recipient's non-federal criminal justice expenditures;

- Construction grants covering 50 percent of the total cost to build physical facilities of an innovative nature;
- One hundred percent research, demonstration, training and special project grants to institutions of higher education, public agencies or private nonprofit organizations, and
- Collection, dissemination and evaluation of statistical information on research and project accomplishments relating to law enforcement and criminal justice.

House Hearings

Subcommittee No. 5 of the House Committee on the Judiciary held two weeks of hearings in March and April of 1967, with most of the debate revolving around the role of the states in the program, the 50,000 population cutoff and the requirement of a five percent annual increase in criminal justice expenditures. The subcommittee reported the bill in early May to the full committee with very few substantive changes other than lowering of the jurisdictional eligibility requirement from 50,000 to 25,000 population.

The Committee on the Judiciary reported the bill to the House on July 17, 1967, just after the Newark riot. The bill was renamed the Law Enforcement and Criminal Justice Assistance Act of 1967 and contained 25 amendments, five of which were proposed by Republicans. These amendments made all units of local government eligible for the program, eliminated the five percent increase in criminal justice expenditures requirement, completely prohibited the use of funds for police salaries other than for training programs or other innovative functions, required that all local applications be submitted to the governor of the respective state for review and called for judicial review of the attorney general's actions when payments to a grantee were either suspended or terminated.

House Action

In early August 1967, in the wake of the Detroit riot, three days of debate and two major amendments significantly changed the character of the committee's bill. The House accepted an amendment offered by Representative William T. Cahill of New Jersey to adopt a block grant approach. The Cahill Amendment provided for planning and action grants to be made directly to state planning agencies created by the governor. Planning funds (except for a $100,000 flat grant to each state) and 75 percent of the action funds were to be distributed on a population basis. Twenty-five percent of the action funds were to be awarded at the discretion of the attorney general. A mandatory state pass-through of half of the block grant action funds to local governments was required.

Proponents of the Cahill Amendment were concerned about the unlimited discretionary authority given to the attorney general and the possible creation of a national police force. They expressed concern that tremendous administrative problems could result for a Federal agency that was required to approve project grants for thousands of local jurisdictions. The anti-categorical position was argued by then House Minority Leader Gerald R. Ford:

> We must abandon the idea of direct federal intervention in the cities with a federal administration deciding arbitrarily who will get what and how much. In the field of law enforcement, as in others, we must provide the incentive for strong state and local action with federal dollar help. That dollar help should be channeled through the states, through a designated state agency.[16]

In view of these factors, block grant spokesmen contended, "State governments, with full constitutional powers over local units of government, could best secure functional and jurisdictional cooperation."[17] Opponents argued that the block grant approach was undesirable since states were unconcerned, unable, and unwilling to become involved in local law enforcement activities.

A second major amendment was introduced by Representative Robert McClory of Illinois, with the support of the minority leader, to establish a National Institute of Law Enforcement and Criminal Justice within the Department of Justice to provide for research and training programs. An additional change on the House floor earmarked $25 million of the bill's authorization for riot control and prevention programs.

On Aug. 8, 1967, the House passed the bill, including the Cahill and McClory amendments, by a 378-23 roll call vote and sent to the Senate a bill

which substantially reflected the Administration's initial proposal. The major exceptions were a transfer of program control from the Federal government to the states and a separation of research from the planning and action functions of the program.

Senate Hearings

Between March and July 1967, the Subcommittee on Criminal Laws and Procedures of the Senate Committee on the Judiciary held hearings on S. 917. While most of the issues raised in the House surfaced again, the Senate hearings probed some that had received only limited attention. In particular, the Senate subcommittee showed great concern over the creation of a national police force and distrust of the discretionary authority over grants given to the attorney general. As the minority report put it:

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> In short, we don't want the Attorney General, the so-called "Mr. Big" of Federal law enforcement to become the director of State and local law enforcement as well. It is true that the Attorney General is the chief law enforcement officer of the Federal government. But he is not chief law enforcement officer of States and cities. We believe America does not want him to serve in that capacity. Organization and management experts may object to a dilution of executive authority, but we want no part of a national police force. Such dilution, if a price at all, is a small price to pay to preserve a fundamental balance of police power. We don't want this bill to become the vehicle for the imposition of Federal guidelines, controls, and domination.[18]

The hearings on S. 917 also raised the question of the desirability of a block grant with few or no strings attached. Attorney General Ramsey Clark opposed the proposal, arguing that: (1) the spending of Federal tax dollars demands that the Federal government supervise their use; (2) state governments, for the most part, have little involvement in, control over, or responsibility for local law enforcement; and (3) local jurisdictions would resent the state government's threat to their autonomy.

The subcommittee reported the bill, which was to become Title I of an omnibus crime control measure, to the full committee in early October 1967. Significant amendments included: (1) increasing the bill's authorization by $35 million; (2) limiting the amount of funds for corrections, probation and parole; (3) requiring submission of all local planning applications to the governors; and (4) authorizing a three-person bipartisan board within the Department of Justice appointed by the President and confirmed by the Senate to administer the program in order to curb the discretionary authority of the attorney general.

On April 29, 1968, the Senate Committee on the Judiciary, in the aftermath of the District of Columbia riot, reported S. 917 and adopted intact most of the subcommittee's report. The full committee bill, however, also included: (1) a provision for a national institute, as in the House-passed bill; (2) modification in the title of the bill to the Omnibus Crime Control and Safe Streets Act; (3) changes in matching requirements for planning grants to 20 percent, 40 percent for action grants, 25 percent for organized crime and civil disorder prevention and control grants and no matching for research, training and demonstration grants; and (4) authorization for technical assistance to states and localities. In contrast to the House-passed bill, the committee bill did not include the Cahill Amendment for block grants and the administration of the program by state planning agencies, and authorized financial assistance only to cities over 50,000 population, while permitting the use of up to one-third of grant amounts for personnel compensation.

Senate Action

The Senate became the battleground for the backers of direct federalism—large city Democratic mayors and northern Democrats—and supporters of block grants—Republican governors and Republican and southern Democratic senators. The principal themes of the month-long floor debate were similar to those in the House. A block grant amendment, which was deleted in the Senate bill in full committee, was introduced by Senate Minority Leader Everett M. Dirksen. The basis for this action was a belief that integration of the criminal justice system could occur only when there was gubernatorial supervision over state planning to avoid duplication or conflict between local and state crime reduction plans and programs.

> We are never going to do a job in this field until we have a captain at the top, in the form of the Governor, and those he ap-

points, to coordinate the matter for a State because crime may be committed in a spot, but before it gets through its ramifications it may spread over a very considerable area.[9]

While the Dirksen and Cahill Amendments were similar, some important differences should be noted. Under the Cahill Amendment: (1) SPAs were required to pass-through 40 percent of the planning funds and 75 percent of the action funds to general units of local government; (2) 85 percent of the annual appropriation was to be allocated to the states on a population basis, although 15 percent could be distributed at the discretion of the Law Enforcement Assistance Administration; (3) planning grants would cover 90 percent of the total cost of the SPAs' operations; and (4) state plans were no longer required to be designed to carry out innovative programs. The Senate passed the bill containing the Dirksen Amendment by a 72-4 roll call vote.

Final Action

Final action on the legislation came on June 6, following the assassination of Senator Robert F. Kennedy, when the House rejected a conference committee motion and agreed to the Senate version. On June 19, 1968, President Johnson signed into law the Omnibus Crime Control and Safe Streets Act of 1968—the first major piece of congressional legislation to incorporate the block grant mechanism from the outset.

Title I of the Omnibus Crime Control and Safe Streets Act consisted of five parts:

Administration. A Law Enforcement Assistance Administration (LEAA) was established within the Department of Justice. A "troika" (an administrator and two associate administrators), bipartisan in nature, appointed by the President, and confirmed by the Senate would share and carry out the functions, powers and duties of the act.

Planning. Grants would be provided to cover up to 90 percent of the total cost of the operation of state planning agencies designated by the governor to develop comprehensive criminal justice plans. Each state would be allocated a flat amount of $100,000 with the remainder of planning funds to be distributed on a population basis. Forty percent of the planning funds were to be made available to local jurisdictions.

Action Grants. Eighty-five percent of the action funds were to be allocated to the states on a population basis as block grants, with 75 percent of the funds to be passed through to local governments. The remaining 15 percent was to be used at the discretion of LEAA. The Federal government would cover 75 percent of the total cost for organized crime and riot control projects, 50 percent for construction projects and 60 percent for other action purposes. Not more than one-third of any action grant could be used for personnel compensation.

Training, Education and Research. Total federally funded grants for research, demonstration and training programs were authorized, to be administered by a National Institute of Law Enforcement and Criminal Justice and provision for criminal justice educational assistance through loans and grants.

Other Administrative Provisions. Approximately $100 million was authorized for FY 1969 and $300 million for FY 1970, with the authorization divided into $25 million for planning grants, $50 million for law enforcement action grants and $25 million for training, education and research.

CATEGORIZATION AND CLARIFICATION

The Safe Streets Act of 1968 had served as a congressional safety valve to release some of the public pressure to act on the crime issue. Even though the rhetoric of the War on Crime had been tempered since President Johnson's statement to his crime commission that the goal should be "not only to reduce crime but to banish it," congressmen envisioned the act as an attack on the problem of crime that "threatens the peace, security and general welfare of the nation." Although the President believed that a reduction in crime could not take place immediately and some congressmen saw the act not as a complete answer to the crime problem, but only as a beginning, many were disappointed with its initial impact.

The 1971 Amendments

The reauthorization hearings in 1970 served as a forum to air complaints about the program as well as to provide an opportunity to review and evaluate

the first two year's experience. In February 1970, the House Committee on the Judiciary announced extensive hearings on the act. Hearings were held by Subcommittee No. 5 of the House Committee on the Judiciary in February and March. The Subcommittee on Criminal Laws and Procedures of the Senate Committee on the Judiciary also held hearings in late June and July.

The House hearings announcement was followed by a rash of studies of state administration of Safe Streets funds.[20] The key criticism raised in these reports focused on the competence of the states to administer the program, the inadequate distribution of action funds to high-crime areas and the failure to spread funds equitably across criminal justice functional areas. The latter criticism served as the impetus for the addition of the most significant of the 1971 amendments—a new Title E, grants for correctional institutions and facilities.

Corrections

The amendments, introduced by Senator Roman L. Hruska in 1970, were a reaction to several experiences in the early years of the Safe Streets program. The 25 percent state share of the action funds had left very little for corrections. Correctional agencies also had difficulties in meeting matching requirements. But most importantly, the early years of the program revealed that the police function was receiving the bulk of available funds. In the 1969 state comprehensive plans, 79 percent of all action grants was earmarked for police-related programs, as opposed to 14 percent for correctional projects.[21]

> The data clearly reveals that as of early 1970, most Safe Streets Act action dollars were used to bolster public safety, especially to purchase local police equipment and communications systems, and to train law enforcement personnel. Relatively small amounts of funds were available for upgrading other components of the criminal justice system.[22]

Several reasons have been advanced for the predominance of police equipment and training expenditures in the early years of the program: (1) congressional concern about riot control and prevention; (2) the pressing need to improve antiquated, ill-equipped and poorly trained police departments; (3) pay-offs to police and sheriffs for their support of the program; (4) the short time period for states to plan for substantive programs to change the criminal justice system; and (5) the ability of law enforcement interests to gear up quickly to obtain funds.

In its June 1970 report, the House Committee on the Judiciary noted that "although grants for law enforcement purposes under Part C of the Act may be used for corrections purposes, such funds have not been sufficient in view of the competing demands for other law enforcement programs."[23] The House bill, H.R. 17825, established a new program (Part E) for the construction, acquisition and renovation of correctional facilities providing Federal support for up to 75 percent of the total cost of a project. It also earmarked 25 percent of all the law enforcement appropriations for correctional purposes. In an Aug. 4, 1970 resolution the executive directors of the state criminal justice planning agencies opposed "the threatened change of the block grant concept through the allocation of any specific percentage allocation to any portion or category of the criminal justice system."[24] Although the SPAs supported increased funding for corrections, they wanted any additional money to be distributed through the population formula for Part C funds. The amendment under the House bill required that: (1) a state could apply for grants under Part E by incorporating its application in the comprehensive state plan; (2) 50 percent of the funds would be made available for block grants to SPAs and the remaining 50 percent would be used at the discretion of LEAA; and (3) the SPAs could not reduce the amount of action funds normally allocated for corrections, thus tying appropriation levels to Part C funding for this area.

The Senate Committee on the Judiciary, in its September 1970 report, made several changes in the Part E amendments proposed by the House. The first modification emphasized the use of Part E funds for community-based correctional facilities and programs. The second added a population factor to the allocation formula. The third provided for 85 percent of the annual appropriations to go to the states and 15 percent to a discretionary fund. The Senate bill also deleted the requirement that 25 percent of the Part C funds be used for corrections.

The conference report accepted the basic House version, with the community-based correctional emphasis of the Senate bill. The distribution percentages of the House bill and population-based allocation formula of the Senate bill were also accepted by the House conferees. A plan requirement for corrections

and a provision for 75 percent of the total cost of a project to be funded by Safe Streets dollars were also incorporated into the conference bill. The Senate version on specific authorizations for corrections was accepted, with the earmarking of $100 million in FY 1971, $150 million in FY 1972 and $250 million in FY 1973, for Part E grants.

It should be noted that the impetus for the creation of Part E did not come from the pressure of public interest groups such as the American Correctional Association and the National Council on Crime and Delinquency, but from within LEAA itself. LEAA saw Part E as a means of expressing national priorities without categorizing the act; it was viewed as a block grant within a block grant. Others, however, considered Part E as a categorization that would weaken the block grant mechanism as well as confuse the purpose and priorities of the statute.

The "Troika"

In the course of the Senate and House hearings, serious questions also arose concerning the desirability of continuing the management of the program by a three-person board. The act, as interpreted by the attorney general, required unanimity among the administrator and associate administrators with respect to policy and operational decisions. The first "troika" seemed to work harmoniously; however, the second "troika's" disagreements often resulted in inaction and stalemate.[25]

With this past record in mind, the House Committee on the Judiciary reported an amendment that abolished the triumvirate and substituted a single administrator empowered to determine policy as well as administrative matters. However, the amendment retained the posts of associate administrators, who would specifically serve the administrator as deputies. The house believed that this arrangement would expedite decision-making and effective implementation of policies.

> An agency responsible for the allocation of vast sums of Federal assistance should not be burdened in its decision-making functions by a tripartite directorship. A three-man board that requires unanimity of decision before major policies can be undertaken, let alone determinations regarding mundane operational issues cannot effectively implement the mandate of Congress. In this manner, LEAA retains the advantages of collective judgment, experience, and expertise without suffering administrative delays and uncertainties inherent in a system requiring unanimous tripartite decisions.[26]

In contrast, the Senate Committee on the Judiciary reported an amendment that retained the "troika" but vested all administrative powers, including appointments and supervision of personnel, in the administrator. Other functions, powers and duties were to be exercised by the administrator with the concurrence of at least one of the associate administrators. The Senate rationale for the amendment was aptly expressed by Senator McClellan:

> The committee substitute, retains the broad concept and the principle of 'check and balance,' but no longer runs the risk of stalemate. These changes, I believe, are sufficient to assure the operational and management efficiency of LEAA without running the danger, in a program involving national impact on police power of placing too much authority in any one man.[27]

The Senate amendment was adopted by the conference, but the Congress failed to provide specific guidelines and standards for administration of the act in order to ensure that its mandate would be carried out.

Planning

Both the House and Senate hearings surfaced many complaints on the part of public interest groups regarding the criminal justice planning process, the state planning agencies (SPAs), and regional planning units (RPUs). Major criticisms of the SPA and RPU supervisory boards included: (1) the proportionally small representation of cities on SPA boards; (2) the failure of LEAA to require adequate minority representation; (3) domination in the planning process by law enforcement officials; (4) underrepresentation on SPA and RPU boards of locally elected non-criminal justice policy-making officials; (5) some SPA boards were too large to be manageable, and could not handle expeditiously the planning process because they were bogged down in detailed reviews of every subgrant application; and

(6) SPA boards tended to rubber stamp staff decisions rather than exert leadership. Soon after SPA boards were established, many groups began engaging in a numbers game. Head counts were made purporting to show that local elected non-criminal justice officials, as well as the citizenry at large, were underrepresented on SPA and RPU boards. Critics claimed that the boards were not broadly representative and that this led to "fragmented planning and action programs which are unresponsive to the real needs of local governments and community residents." [28]

> Adequate representation of local policy making officials on State and regional boards is an absolute necessity as these officials provide an overall view of the problems and priority decisions facing local governments which can aid in structuring State and regional planning to assure that the programs developed from these planning efforts can be easily integrated into the overall local governmental processes. Adequate citizen representation on State and regional boards is also necessary to give State and local planning processes and resulting efforts to implement law enforcement plans a degree of legitimacy among those elements of the community who believe they will be most affected by improved law enforcement activity. [29]

The data presented in the 1970 ACIR report on the initial experience under the act revealed that even though local interests generally were well represented, three-fifths of the SPA supervisory board members were criminal justice officials, while only one-sixth were citizens and only slightly more than one-tenth were local elected policy or executive officials.

In response to these concerns, Congress adopted in conference the House version of the bill relative to the representation requirements of planning agencies. The equivalent Senate provision required that insofar as it was not consistent with the provisions of any other law, SPA and RPU boards should be representative of law enforcement agencies, units of general local government, public agencies maintaining programs to reduce and control crime, and the general community. The conferees deleted the Senate requirement that planning agencies be representative of the general community. The amendment set mandatory minimum requirements for the composition of Safe Streets planning units.

Criticism of the planning process centered on (1) the tendency toward supportive program planning, especially in the police training and equipment areas, rather than innovative program planning; (2) the unresponsiveness of many programs to the needs and requests of local governments due to inadequate local participation in the planning process; (3) "rudimentary" state plans, which exhibited gaps in coverage and often vague and imprecise language concerning implementation; and (4) fragmentation of criminal justice planning efforts. [30]

Many critics contended in 1970, as they do now, that little comprehensive planning was being done under the act. State plans were viewed as largely collations of specific local project proposals, lacking integrated analyses of immediate and long-range law enforcement and criminal justice needs and priorities and the resources available to meet them. On the other hand, Congress was criticized for not making clear its intent in determining what is meant by comprehensive planning as opposed to what a comprehensive plan must contain.

One result of the differing views of comprehensiveness has been functional fractionalization of the state planning process, underscored by the division of many supervisory boards into committees relating to the various components of the criminal justice system and the assignment of SPA staff to specific functional areas. [31] While this approach may be conducive to expeditious decision-making on plan contents and project funding as well as to maximizing expertise, the functional emphasis has certain disadvantages. In particular, said one critic, it:

> . . . will foster development of separate programs oriented to the various elements of law enforcement—police, courts, corrections, probation and parole—rather than the comprehensive, unified improvement program toward which the Safe Streets Act was directed. Such functionalization could also be partly to blame for the lack of integration of the criminal justice system. [32]

In the early years of the Safe Streets program, defenders of state comprehensive planning efforts cited the fact that tight statutory and LEAA deadlines for setting up SPAs and submitting plans in order to receive initial block grant awards precluded many states from treating the entire criminal

justice system in the planning process. Others, however, found fault with planning decisions not relating to allocation decisions and with plans that presented only generalized statements of needs and problems having little relationship to coordinating improvements in the criminal justice system.

In 1970, there also was fear that planning funds were being used to finance an additional level of bureaucracy. Regional planning units were criticized for contributing to delays, red tape and duplication of planning activities. The source of this concern was rooted in the belief, particularly in large cities, that: (1) regions for criminal justice planning were created without the consent of and sometimes despite the opposition from local governments; (2) regional staffs were state agents and not representatives of local government, thus helping to thwart the expression of local needs in state level plans; (3) large cities had different anti-crime problems and their plans and proposals should not be subjected to the veto power of suburban coalitions that often dominated regional supervisory boards; and (4) some RPUs were financed by the 40 percent share of planning funds intended for local plan development, leaving no monies to support city and county planning for criminal justice.[33] In testimony before the Senate Committee on the Judiciary, Mayor Roman S. Gribbs of Detroit aptly expressed the problems and fears big cities had with respect to regional planning units:

> Generally, these regional planning efforts do not adequately recognize the individual criminal justice planning problems of their various local units. They only identify and support solutions for problems common to all. They are established in the name of coordination but often perform no greater function than to assure that everybody gets something, effectively frustrating any efforts to pinpoint funds on solutions of particular problems in individual communities within the region.[34]

These concerns led the National League of Cities in 1970 to propose a pass-through of planning funds to major metropolitan areas. In response, Congress adopted a Senate amendment that incorporated a request by the Department of Justice to waive, in appropriate cases, the requirement in Section 203(c) of the act to pass-through at least 40 percent of all planning funds awarded to the state to local units of government. The House Committee on the Judiciary bill omitted this amendment, because it believed the present provisions "were essential if Federal crime control funds are to reach crime plagued neighborhoods in sufficient amounts to have the required impact."[35] The Senate committee thought that express statutory authority to grant pass-through waivers was preferable to a House-supported administrative interpretation. It also was of the opinion that the provision for waiver was necessary, because the 40 percent pass-through requirement, although appropriate in most cases, was not desirable in small rural states, where it could work to the detriment of effective comprehensive planning because the state bears the greatest share of the cost and responsibility for criminal justice. Despite these reservations, the 1971 amendments required the states to give assurances that major cities and counties would receive planning funds to develop comprehensive plans and to coordinate action programs at the local level. In return, LEAA was authorized to waive the pass-through requirement upon finding that it would be inappropriate in view of the respective law enforcement responsibilities of the state and its local units of government or would not contribute to effective, statewide planning.

Another House-proposed amendment authorized funding to units of general local government or combinations thereof having a population of 250,000 or more. These criminal justice coordinating councils (CJCCs) were to provide improved coordination of all law enforcement activities. Although the House did not want to restrict the eligibility of local governments, the Senate Committee on the Judiciary report indicated that the 250,000 population limitation was necessary because "establishment of councils for smaller population areas would be a needless proliferation of the planning function."[36] The CJCC amendment was a victory for the large cities and, because it was intended to help overcome functional fragmentation and develop a local planning capacity, satisfied for the moment one of their major complaints about the Safe Streets program.

Funding

In the funding area it soon became clear, as the 1970 hearings progressed, that the most controversial issue was the contention that big cities with the most critical needs and highest incidence of crime were not receiving their fair share of action funds. In 1970, the ACIR found that the states were attempting to

respond to the crime reduction needs of their local jurisdictions either through the direct allocation of action funds or indirectly through state programs which benefited localities. Safe Streets funds, however, were being spread among a large number of rural and suburban units of local government and were not being funneled to large urban areas that had the greatest incidence of crime or contributed a large share of total state-local police outlays. State spokesmen asserted that delays in allocating money to high-crime areas were caused by Federal administrative and fiscal inaction and that some big cities had failed to apply for funds. The National Governors' Conference reported that "32 States used the State portion of their block grant for programs of direct benefit to local government, and that 75.3 percent of FY 1969 action funds had been awarded by States to cities and counties over 50,000 population."[37] City representatives replied that:

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> [T]he States in distributing funds entrusted to them under the block grant formula of the Safe Streets Act have failed to focus these vital resources on the most critical urban crime problems. Instead, funds are being dissipated broadly across the States in many grants too small to have any significant impact to improve the criminal justice system and are being used in disproportionate amounts to support marginal improvements in low crime areas . . . instead of need and seriousness of crime problems, emphasis in dollar allocation appears to have been placed on broad geographic distribution of funds.[38]

LEAA concluded through its studies that big-city crime programs were receiving adequate attention from the states. In testimony before the House Committee on the Judiciary, Attorney General John N. Mitchell pointed out that the nation's 411 cities of over 50,000 population accounted for 62 percent of reported crime, and these cities or regional units that included them received 60 percent of state subgrant awards.[39]

The statutory imprecision and the lack of forcefulness of LEAA guidelines were partly to blame for the large-city funding inequities. The statutory language in the 1968 act authorizing states to "adequately take into account the needs and requests of the units of general local government" and "provide for an appropriately balanced allocation of funds between the State and the units of general local government in the State and among such units,"[40] was vague and lacked a population or crime index formula to guide SPAs in their determination of which jurisdictions should receive subgrants and how much should be awarded. Rejecting a population or crime incidence formula as a basis for distributing funds, Congress attempted to clarify the vague statutory language by approving an amendment that required that no state plan would be approved by LEAA unless it provided adequate assistance to areas characterized by both high crime incidence and high law enforcement activity—such as a substantial number of arrests, congested court calendars and crowded correction facilities. The House bill focused attention on an adequate share of "funds," rather than "benefits," as in the Senate bill, to urban areas experiencing disproportionately severe law enforcement problems; these were not necessarily areas with high crime rates. The House rejected an arbitrary mathematical formula and instead directed SPAs to provide "adequate assistance" to large metropolitan areas, considering the volume of crime and the benefits derived from other state anti-crime programs. The Senate provision emphasized areas of high law enforcement activity, because of the concern that rural cities and counties received disproportionate aid. According to the critics of the block grant approach, this amendment seemed to be a step in the right direction because it reduced the broad geographical scope of funding. In addition, state plan approval was made contingent on the demonstration of adequate assistance being given to high-crime urban areas, providing some guarantees rather than only assurances that large cities would receive their fair share.

Besides the complaints about adequate funding to high-crime urban areas, critics of the Safe Streets distribution pattern expressed concern about: (1) the amount of aid being channeled to statewide projects that did not meet local needs and priorities; (2) the provision in the 1968 act limiting the percentage of action grants that could be used for salaries; and (3) the difficulties faced by some localities in providing the 40 percent matching funds required by the 1968 act.

The original matching requirements reflected the fear that a large amount of Federal support would lead to Federal control of law enforcement, and the belief that local and state governments should be induced to increase their financial commitments to

the criminal justice system. Realizing that the 40 percent matching requirement was creating a serious fiscal problem for localities, Congress approved an amendment that raised the Federal share of a project from 60 to 75 percent.[41] It also required, however, that effective in FY 1973, 40 percent of the non-Federal share in the aggregate be in the form of cash appropriations rather than in previously accepted donated in-kind contributions or soft match.

Urban areas were also aided by approval of an amendment that required states to contribute at least one-fourth of non-Federal funding for local projects. Despite congressional feelings that the states should assume greater financial responsibility for local activities supported by Safe Streets, concerns that the financial burden imposed by the amendment might drive some states out of the program persuaded Congress to defer the buy-in requirements until FY 1973. Aid to local jurisdictions was further diluted by approval of an amendment to allow a flexible pass-through formula of action funds corresponding to the portions of statewide law enforcement expenditures accounted for by local jurisdictions in the preceding fiscal year.

The congressional restriction on personnel compensation was intended to prevent local dependence on Federal aid and undue LEAA influence over local law enforcement policy. But it also limited the degree of local flexibility in developing anti-crime programs that utilized additional manpower. Thus, in the hope of reducing local "hardware" programs, Congress relaxed the limitations on salary payments to non-operational personnel, such as those engaged in research, demonstration or training programs or who otherwise provide auxiliary support services to regular law enforcement personnel. Not more than one-third of any grant, however, could be expended for the compensation of police or other law enforcement personnel.

Several other amendments were approved by Congress to: (1) add three eligible program areas for Safe Streets funds; (2) impose criminal penalties for improper use of grant funds by state or local officials; (3) broaden the law enforcement education program; and (4) authorize $650 million for FY 1971, $1.5 billion for FY 1972, and $1.75 billion for FY 1973.

In summary, the Omnibus Crime Control Act of 1970—signed into law by the President on January 2, 1971—was clearly a congressional response to complaints from public interest groups and local jurisdictions. These amendments were also a well-balanced compromise between those who supported the block grant approach and those who preferred direct grants to cities.

LAW ENFORCEMENT SPECIAL REVENUE SHARING

The proliferation of categorical grants in the wake of the Great Society became a great concern to the Nixon Administration, which believed that many of these programs represented an intrusion of Federal authority upon the prerogatives of state and local governments. Under the New Federalism proposals, Federal financial assistance in broad functional areas with no or very few strings attached was urged to allow state and local jurisdictions maximum latitude in spending Federal funds. This so-called "special revenue sharing" also involved eliminating categorical programs and consolidating them into block grants. Since Federal aid in the law enforcement area was already being provided through a block grant mechanism, only a minor change was necessary to eliminate the Federal restrictions on the state's use and control of Safe Streets funds.

President Richard M. Nixon, on March 2, 1971, set forth his first special revenue sharing proposal, asking Congress to transform the block grants administered by the Law Enforcement Assistance Administration (LEAA) to state and local governments into a special revenue sharing program for law enforcement amounting to $550 million in its first year of implementation. This transformation would be accomplished by removing matching, buy-in, maintenance-of-effort and Federal plan approval requirements applicable to Part C action grants. Special revenue sharing payments would be made to the states on the basis of population, upon the submission of a comprehensive plan to LEAA for review and comment. The bill did not alter the Part C pass-through formula, the proportion of annual appropriations set aside for discretionary funds, the Part E program, or grants for research, statistics and academic and technical assistance. The Congress held no hearings and took no action during 1971 and 1972 on the Administration's law enforcement revenue sharing proposals (S. 1987 and H.R. 5408).

Determined to gain congressional consent, and knowing that on June 30, 1973 the authorizing legislation for the LEAA program would expire, on March 14, 1973, President Nixon again sent a special message to Congress accompanied by a law enforcement revenue sharing measure. The ranking Republican members of the House and Senate

Committees on the Judiciary, Representative Edward Hutchinson and Senator Roman L. Hruska, introduced the Administration's law enforcement revenue sharing bill as H.R. 5613 and S. 1234. This revised proposal consolidated LEAA action grants, corrections grants, technical assistance and manpower development funds totaling $891 million in FY 1974. The Administration estimated that only $680 million of the annual amount would be spent in the first full year of special revenue sharing. Appropriations reaching $800 million in FY 1976 were projected, with outlays continuing at that level until FY 1978. An additional $120 million would be available for discretionary grants. Law enforcement funds would be distributed by formula among the states with an assured 70 percent pass-through to local governments.

The Administration's 1973 law enforcement revenue sharing proposal also: (1) removed matching requirements and replaced them with maintenance of effort provisions; (2) eliminated the funding limitations for police salaries; (3) dropped the "troika" arrangement in favor of a single administrator; (4) deleted the requirement that states establish planning agencies to draw up comprehensive plans and administer Safe Streets funds and substituted a general requirement for a "multi-jurisdictional planning and policy development organization" to perform these tasks; (5) mandated that 50 percent of the supervisory board of any criminal justice planning body be composed of elected city and county officials; (6) authorized LEAA to comment on state plans and make such comments public; (7) removed the requirement that a specific portion of block grant allocations be earmarked for corrections; (8) required strict program evaluation and auditing; and (9) added two new categories of allowable spending (diagnostic services for juveniles and court administration, including law referee programs within civil courts). Generally, the President's proposal substantially reduced LEAA's authority over the states and allowed the SPAs more discretion in the administration and use of Safe Streets funds.

Hearings on the President's revenue sharing proposal and other suggested changes in LEAA were held in March and early April by Subcommittee No. 5 of the House Committee on the Judiciary. Two issues emerged as major obstacles to congressional approval of the Administration's revenue sharing plan. Committee members (both Republicans and Democrats) expressed reluctance to relinquish all Federal control over the use of Safe Streets dollars, and those from urban districts—chiefly Chairman of the House Committee on the Judiciary Peter W. Rodino, Jr.—argued that cities, the targets of most crime, had not received a fair share of Federal funds. The Administration had no strong advocate for its proposal on the subcommittee. Republican members were concerned more with specific strings than with the overall approach, which they saw as sufficiently similar to general revenue sharing. They viewed passage of the Administration measure less as a substantive change than merely as a favor to the White House.

One alternative to the Administration's proposal was a bipartisan revenue sharing bill (H.R. 5746), introduced by Representatives James V. Stanton and John F. Seiberling of Ohio. This bill was designed to share some revenue directly with high-crime areas in block grant form. The bill would have allowed cities over 250,000 population to apply directly for funds, if they controlled all the functional areas of the criminal justice system for their jurisdiction.

Kansas Governor Robert B. Docking, on behalf of the National Governors' Conference, supported the Administration's law enforcement revenue sharing proposal. Testifying before the subcommittee, Governor Docking said that: (1) the governors were best equipped to distribute funds within a state; (2) the governors endorsed the elimination of some of the legislative requirements, which had "mired" states down in the swamp of such bureaucratic terms as "hard match," "buy-in," and "pass-through," in return for providing additional flexibility in determining and directing LEAA funds to the states' soft spots in crime prevention and control; and (3) the governors would not oppose retaining the existing requirements for a state planning agency to secure LEAA approval of its plans.

Charles L. Owen, executive director of the Kentucky Crime Commission, representing the National Conference of State Criminal Justice Planning Administrators, told the subcommittee that the conference supported the President's law enforcement special revenue sharing proposal, and that it was no longer a valid criticism that the states were ignoring urban areas in allocating Safe Streets funds. If Congress allowed funds to go directly to cities from Washington, the 1968 law would be "more of a police act than it is today."

Opposition to special revenue sharing came primarily from the local government public interest groups, who wanted planning funds to be kept separate from special revenue sharing funds, with a

pass-through mandated for local planning units.

Representative John S. Monagan of Connecticut appeared before the subcommittee to question the Administration's "no strings" proposal, wondering whether "the vast sums of money involved could be properly and productively spent without greater control."[42] Monagan based his criticism of the Administration's proposal upon the findings of an investigation of LEAA made by his Subcommittee on Legal and Monetary Affairs of the House Committee on Government Operations. The Democratic majority of this committee had issued a report in 1972 pointing to "inefficiency, waste, maladministration, and in some cases, corruption" in a program that has had "no visible impact on the incidence of crime"[43] and that lacked any meaningful leadership and direction. The committee's conclusions had been corroborated by reports from the Committee on Economic Development and the Lawyers Committee for Civil Rights under Law, issued in June 1972 and early 1973, respectively.

Based on the findings of the subcommittee's investigative staff and nine days of testimony from 30 witnesses, the House committee concluded that: (1) Safe Streets funds had been underutilized, with only one in every four action dollars that states had received from LEAA being distributed to local governments to fight crime; (2) large amounts of action funds awarded to local governments were actually in bank deposits or investments and not being used for crime reduction; and (3) a large proportion of the funds had been misused or wasted on exorbitant consultants' fees, unneeded equipment and vehicles, excessive payments to noncompetitive equipment suppliers and partisan political purposes. The committee also cited the large amount of Federal aid that "had been applied to projects which are only tangentially related to the direct needs of the criminal justice system"[44] and thereby ignored the congressional intent. The committee placed the blame for the above on LEAA which, because of lack of information, "has made little attempt to control the siphoning of funds to areas outside the criminal justice system."[45] Committee criticism also was directed toward state comprehensive plans which "have, on the whole, been too much the products of outside consultants, too much in the nature of shopping lists for hardware items, and too infrequently a 'comprehensive' blueprint for action," and toward the "pouring of substantial funds into police hardware."[46] The lack of LEAA and SPA standards for evaluating project success or failure was underscored: "In essence the programs are unevaluated, unaudited and incapable of being measured as to performance and progress. . . ."[47]

Countering Monagan's testimony and dissenting from the subcommittee's findings were Republicans who thought that the Monagan investigation was a partisan political attack on revenue sharing and those who believed that the press and committee report exaggerated the abuses of the program and did not balance the charges with evidence of the constructive efforts of LEAA and the states. Supporters also noted that LEAA had already implemented some of the committee's recommendations. Despite some of the negative feelings about the Monagan report, however, it was clear that its revelations would have an impact upon the future form and direction of the Safe Streets Act and its implementation.

Opposition to the Nixon special revenue sharing proposal also came from a major proponent of a substitute bill. Representative Stanton testified that revenue sharing would reach a dead end in the state capitals, under the Administration's plan, and that decentralization was needed to prevent the spawning of a giant new bureaucracy in Washington and "a second generation of smaller bureaucracies at the multistate regional level, at the state level and at the sub-state regional level." Stanton told the committee that "we are ill-equipped in Washington to do anything about crime in the streets . . . and the governor doesn't know any more about fighting crime than you or I do."[48]

Supporting the logic of the Stanton-Seiberling bill, the National League of Cities-U.S. Conference of Mayors, represented by Mayor Roman S. Gribbs of Detroit, Mayor Wes Wise of Dallas and Mayor James H. McGee of Dayton, asked the subcommittee to amend the Administration bill to ensure a city-state relationship under the program comparable to that between the states and the Federal government. They also recommended adding a requirement which would ensure that every state would improve its dealings with urban areas.

THE CRIME CONTROL ACT OF 1973

Rejecting the Administration's push for special revenue sharing and the cities' drive for direct access to Federal law enforcement funds, the House Committee on the Judiciary, on June 5, 1973, reported a bill extending the authorization for LEAA at an annual level of $1 billion through FY 1975. As re-

ported, the bill (H.R. 8152) made a series of changes in Title I of the Omnibus Crime Control and Safe Streets Act of 1968, but the structure of the block grant program was left intact. H.R. 8152: (1) eliminated the unwieldy "troika" arrangement and replaced it with a single administrator; (2) expanded the purpose and intent of the act to include all components of the criminal justice system and broadened the definition of law enforcement to cover prosecutorial and defense services; (3) defined "comprehensive planning" as a "total and integrated analysis of the problems regarding the law enforcement and criminal justice system within the State;" [49] (4) increased to $200,000 the minimum planning allocation to each state; (5) instituted a 90-day rule for LEAA approval of state plans and a 60-day rule for state approval of local grant applications; (6) eliminated all soft match and reduced the cash match requirements to 10 percent, with an increase in the state share to 50 percent for Part C funds and 50 percent for Part B funds; (7) eliminated the funding limitations to compensate law enforcement personnel other than police; (8) provided for increased protection of civil rights; (9) expanded the role of the National Institute of Law Enforcement and Criminal Justice in evaluating projects, developing training programs and promoting research; (10) required all planning meetings to be public; and (11) provided for fund accounting, auditing, monitoring and evaluation procedures to assure "fiscal control and proper management" of funds.

The bill was ordered reported by voice vote on May 31. The Administration's special revenue sharing proposal was rejected by the subcommittee in earlier action. The cities' proposal embodied in the Stanton-Seiberling measure was turned down in subcommittee. On May 30, the full committee had rejected a modified version of the proposal by a 14-22 vote. Supporting the cities' proposal were 14 Democrats, with five Democrats and all 17 Republicans opposing it. After an uneventful debate on June 14 and 15, the House, without a single dissenting vote, approved H.R. 8152, extending through FY 1975 the authorization for LEAA funding at an annual level of $1 billion.

On June 5, 1973, the Senate Subcommittee on Criminal Laws and Procedures began hearings on the Administration's law enforcement revenue sharing bill (S. 1234). Attorney General Elliott L. Richardson urged the Senate to accept the Administration proposal and expressed concern that the two-year extension of LEAA provided by the House bill would retard progress in law enforcement by making states and cities unsure of the length of time they could depend on receiving Federal funds. In his view, an open-ended authorization was preferable.

The subcommittee reported its bill on June 19 (S. 1234, as amended) to the full Senate Committee on the Judiciary. But the committee voted to delay reporting the bill until June 27. Senator McClellan, subcommittee chairman, believing that the vote to report the bill was dangerously close to the June 30 expiration date, introduced the subcommittee bill as an amendment to the House bill. The amended Senate bill differed from the House bill in several important respects: (1) the act was renamed the Crime Control Act of 1973; (2) two LEAA deputy administrators—for policy development and administration—were designated; (3) regional planning units were required to be comprised of a majority of elected executive and legislative officials; (4) no state plan could be approved unless it included a comprehensive program for the improvement of juvenile justice and allocated 30 percent of Part C and E funds to said area; (5) a 90-day period for approval of grant applications by SPAs was mandated; and (6) a $2 billion FY 1978 funding level was authorized.

The Senate, on June 28, passed by voice vote an amended version of H.R. 8152 to extend for five years the authorization for LEAA at an annual level of $1 billion in FY 1974, increasing to $2 billion by 1978. Like the House, the Senate rejected the Nixon Administration's proposals that the Federal requirements on the use of the funds be removed and that the block grant program be converted into law enforcement revenue sharing. The Senate also was not receptive to the proposal that grants be given directly to high-crime urban areas. By a vote of 24-68 it rejected a big-city amendment offered by Senator John V. Tunney of California, which would have directed that 75 percent of LEAA grant funds be given in block grants to states and cities of more than 50,000 population. The amounts would be determined by population. Conferees filed a report on July 26, after reaching a major compromise on the period of time for which LEAA appropriations would be authorized. The House and Senate, on Aug. 2, adopted the conference report—both by a voice vote. At that time Senator Hruska, ranking minority member of the Senate Committee on the Judiciary, observed that there were so many conceptual similarities between H.R. 8152 and the Administration's proposal to convert LEAA grants into law enforcement revenue sharing that he viewed the final

bill as a prototype of special revenue sharing. President Nixon signed H.R. 8152 (PL 93-83) on Aug. 6.

Although the amendments contained certain similarities with special revenue sharing, the Crime Control Act of 1973 departed from the original Administration proposal in the key areas of Federal approval of state plans and various Federal requirements that limited the scope of decision-making within the criminal justice area by state and local governments. It should be noted, however, that many components of the Administration's law enforcement revenue sharing bill were contained in the 1973 act. These included provisions for discretionary grants for interstate metropolitan regional planning units, citizen participation, civil rights compliance, the improvement of juvenile justice and elimination of the "troika." It also should be noted that the 1973 act authorized more Federal aid than the revenue sharing proposal. The Crime Control Act of 1973 was a victory for the states, the block grant mechanism, and LEAA.

The Omnibus Crime Control and Safe Streets Act of 1968, as amended by the Crime Control Act of 1973, while maintaining the structure of state-administered grants to localities, contained several major revisions. They are listed below, together with a brief explanation of the principal reasons for modification.

Purpose of the Act. The statement of purpose was rewritten to stress "criminal justice" in juxtaposition to law enforcement. Criminal rehabilitation and prevention of juvenile delinquency were added to the declaration of intent.

LEAA Administration. The "troika" system was eliminated, with all administrative and policy authority vested in the administrator of LEAA. In lieu of two associate administrators, the amendment provided for two deputy administrators.

Representation on Planning Agencies. The representation requirement for SPAs and RPUs was amended to permit representation of citizen, professional and community organizations. RPUs, however, were mandated to be comprised of a majority of local elected officials. This amendment was adopted in response to testimony by local officials during the 1973 hearings expressing dissatisfaction with their representation on the regional planning boards formed specifically for criminal justice planning. The National Association of Counties (NACo) complained about the predominance of criminal justice specialists on SPA and RPU boards, contending that only elected officials have the necessary overview and are responsive enough to citizen views to plan comprehensively.

Planning Grants. State planning grants were to remain at 90 percent Federal funding, while RPUs were to receive 100 percent Federal funding. The soft match was eliminated, and states were required to provide half of the local share of the hard match for planning grants. Also, the minimum Part B allocation per state was increased to $200,000. The question as to which types of RPUs qualified for 100 percent Federal funding was not fully resolved, because some states viewed RPUs as multi-county or multi-purpose regions, while others viewed single-county, single-purpose, or county/city combinations as regions.

Matching Requirements. Matching requirements for discretionary, Part C and Part E funds were reduced to 10 percent, except for construction projects, which remained a 50-50 match. This match was to be met in the aggregate with appropriated money rather than by a soft match. The act also required that states provide half the aggregate amount of non-Federal funds (in most cases five percent) to pay the local share of LEAA-funded projects. Part C discretionary and block grant funds were permitted to be used for planning grants to interstate metropolitan RPUs. Congress believed change in match requirements was necessary in order to end procedures that were "only cases of imaginative bookkeeping by recipients" and which produced administrative burdens on LEAA that was charged with ensuring compliance.

Plan Requirements. States were required to provide procedures to allow local units of government (or combinations thereof) with a population of more than 250,000 to submit annual plans to SPAs and receive funds based on that plan. This requirement was intended to allow localities to express their priorities and to reduce the budgetary uncertainty and delay in the funding of local projects.

States were required to approve or disapprove local government projects within 90 days. This provision was adopted to speed up the fund flow caused by delay and red tape at the state level and was a response to complaints by many localities that planning and budgeting at the local level had been

adversely affected by delays in the grant award process. Also in response to the charges of red tape and delay, LEAA was required to approve or disapprove a state plan within 90 days after submission by the SPA.

Congress also made LEAA more accountable in supervising and assisting the states in comprehensive planning by requiring that no state plan could be approved unless LEAA found that the plan demonstrated "a determined effort to improve the quality of law enforcement and criminal justice throughout the state" and unless it included a comprehensive program for juvenile justice and established "statewide priorities for the improvement and coordination of all aspects of law enforcement and criminal justice. . . ."

Evaluation. The role of the National Institute of Law Enforcement and Criminal Justice was strengthened and expanded to include major responsibility for the training of law enforcement and criminal justice personnel and evaluation of projects. State plans were required to assure that Safe Streets projects maintain data necessary to allow the institute to perform evaluations.

Authorization and Appropriation Authority. Appropriations were authorized for FY 1974 and 1975 at $1 billion each year, and the FY 1976 appropriation was authorized at $1.25 billion.

EARMARKING: THE CASE OF JUVENILE JUSTICE

The use of earmarking to emphasize juvenile justice in the Safe Streets program had its roots in the enactment of the Juvenile Delinquency Prevention and Control Act of 1968, administered by the Department of Health, Education, and Welfare (HEW). This law was designed to provide a broad program of support to state and local governments for rehabilitative and preventive projects. In view of its experience with rehabilitative and preventive services, HEW was expected to give leadership to the states in developing comprehensive plans for juvenile justice that incorporated innovative practices and techniques to deal with the problems of juvenile delinquency.

During the course of the hearings on the 1972 amendments to the act, however, it became clear that Congress was disappointed with the way Federal delinquency prevention and treatment programs had been handled. The House Committee on Education and Labor reported that the first three years of the Juvenile Delinquency Prevention and Control Act had been hampered by limited appropriations, overlapping with programs funded under the Safe Streets Act and administrative delay, inefficiency and confusion. The committee also thought that the purposes of the act had not been accomplished and the program needed to be refocused on more realistic objectives.

The Senate Committee on the Judiciary arrived at similar findings. It was reported, for instance, that more than a year and a half had passed before a director was appointed for HEW's Youth Development and Delinquency Prevention Administration (YDDPA), which was responsible for administering the act, and that substantial amounts of funds were spread throughout the country in a series of underfunded and unrelated projects. The committee also was annoyed with the underspending for the act; HEW had spent only half of the $30 million appropriated in 1968-1971. Although it was noted that some of HEW's problems stemmed from its lack of primary responsibility for Federal juvenile prevention programs (four different agencies duplicated HEW's efforts), the committee believed that the fulfillment of the original purpose of the act had been rendered virtually impossible because of inadequacies in both appropriations and administration.

The 1972 amendments concentrated on the development of community-based preventive services separate from those services rendered by law enforcement agencies, such as police and courts. The act was designed to aid delinquents through programs in the fields of health, education and employment.

Dissatisfaction with the accomplishments of the 1968 act and the 1972 amendments as well as with the administrative performance of HEW gave impetus to the inclusion of juvenile delinquency in the 1971 and 1973 amendments to the Safe Streets Act. It also generated a heated debate over the proper agency to administer the Juvenile Justice and Delinquency Prevention Act of 1974.

The amendments to the Safe Streets Act dealing with juvenile justice were a specific response by Congress to a need for immediate action to require states to invest in a wide variety of treatment and prevention programs for juvenile delinquents, while leaving maximum flexibility for the state to determine the greatest needs in this area. Immediate action was believed to be necessary, because it seemed that existing programs were plainly inade-

quate and ineffective and that simply channeling additional funds into them was not the answer.

By 1974, however, the focal point of discussion shifted to the differences between "juvenile justice" and "juvenile delinquency prevention." The House Committee on Education and Labor report provided for a newly created Juvenile Delinquency Administration within HEW. It was the judgment of the committee that HEW was the logical locus of administrative responsibility for the 1974 Juvenile Delinquency Act, because the department possessed the requisite human and monetary resources and the administrative machinery. The committee also thought that "LEAA's approach had been to see the juvenile offender in terms of crime and punishment,"[50] rather than to give attention to the preventive aspects of juvenile delinquency. In its judgement, LEAA had not distributed adequate funds for juvenile delinquency needs and had not succeeded in bringing about effective coordination of Federal juvenile delinquency programs through its responsibility for the Interdepartmental Committee for the Coordination of All Federal Juvenile Delinquency Programs. Thus, the committee believed that the law enforcement emphasis of LEAA was too parochial. House supporters of the committee bill and report also stressed that HEW was the best agency "to deal with the entire youth—his education, welfare, and development—not merely the youth as a criminal offender."[51] As one congressman stated:

> I believe local and State police agencies have a role to play in helping to prevent delinquency, but if they play that supportive role, it does not necessarily follow that they have to play the lead. In order to accomplish anything through prevention, the factors that cause delinquency must be addressed. It has been proven time and time again that the causes are not criminal but social in nature. Therefore, because this is not a new program and because HEW has already established the mechanism and is beginning to work to coordinate efforts within communities with the limited dollars they have had—they should be allowed to continue and expand their efforts.[52]

The minority view that HEW was not the agency best suited to administer the Juvenile Delinquency Act was expressed most vocally by Representative Albert H. Quie, who offered an amendment in the House, later defeated, to place administration of the juvenile delinquency program in LEAA. Representative Quie contended that LEAA was better equipped to administer the act based on the large amount of Safe Streets funds available, "its existing coordinative network, its relatively favorable relationship with the Congress and its support by the National Governors' Conference, the National League of Cities, and the Senate Committee on the Judiciary."[53] He also argued that "juvenile justice and delinquency prevention are not separate entities and should not be treated separately. They are part of the same problem. Federal efforts should not and must not be divided."[54] Representative William S. Cohen supported Representative Quie's conclusion:

> Clearly, the goals of juvenile delinquency prevention programs and the juvenile justice system are very similar. Both are concerned about actions of individuals which may endanger the individual's future as well as society in general. Both are attempting to find alternatives for young people which will enhance their chances for making a positive and meaningful contribution to society. While different in emphasis, the two approaches are nonetheless interdependent. To attempt to separate them as some have recommended can only frustrate the attempts of all those fully concerned with helping the youth of our communities.[55]

Opposition to the Quie Amendment came from those congressmen who had questioned the record of LEAA in the juvenile delinquency area. As one congresswoman noted:

> LEAA has consistently failed to provide Federal leadership in the area of juvenile delinquency prevention, despite the Congressional mandate of 1973, despite LEAA's annual budget of $1 billion, and despite early hopes that it would infuse the entire Federal criminal justice system with leadership, direction, and money . . . Many States receiving LEAA funds have no programs at all for the prevention and treatment of juvenile delinquency.[56]

The Senate Subcommittee to Investigate Juvenile Delinquency reported to the full Committee on the Judiciary a bill similar to the House measure, with

the Juvenile Delinquency Act to be administered by HEW. The committee, however, accepted an amended bill offered by Senator Hruska that substituted LEAA for HEW and designated a new Part F for juvenile delinquency programs. Senator Hruska maintained that LEAA was the obvious and natural agency to administer this program because: (1) it already possessed the administrative machinery in its 55 state planning agencies to plan, coordinate and implement juvenile delinquency programs; and (2) it had committed itself to juvenile delinquency prevention and control through initiatives to establish this as one of its four national priority programs and through creation of a juvenile justice section in the National Institute of Law Enforcement and Criminal Justice. He asserted:

> It is unquestionable that LEAA has the capability, capacity and the desire to do the job. Failure to give LEAA a comprehensive mandate as proposed by this legislation would seriously weaken the Federal juvenile delinquency prevention and control effort. [57]

Critics of Senator Hruska's position included Senator Birch Bayh, who maintained that LEAA's involvement in the delinquency field was primarily to improve the juvenile justice system dealing with adjudicated delinquents rather than to work with public and private organizations concerned about delinquency prevention. But a Senate provision to establish an Office of Juvenile Justice and Delinquency Prevention in LEAA to administer the act prevailed in conference.

The Juvenile Justice and Delinquency Prevention Act of 1974 as finally passed by Congress also: (1) required that SPAs include representatives of agencies related to the prevention of juvenile delinquency; (2) created a Coordinating Council on Juvenile Justice and Delinquency Prevention and a National Advisory Committee for Juvenile Justice and Delinquency Prevention; (3) established a National Institute for Juvenile Justice and Delinquency Prevention in the newly created Office of Juvenile Justice and Delinquency Prevention; (4) approved a three-year authorization of $350 million for the juvenile justice and delinquency prevention programs; and (5) required the states to maintain Part C funding for juvenile delinquency programs at the fiscal 1972 level in order to be eligible for assistance.

The Juvenile Justice and Delinquency Prevention Act, signed into law on Aug. 7, 1974, departed from a precedent established in the 1972 amendments to the Juvenile Delinquency Prevention and Control Act of 1968 to separate "juvenile justice" from "juvenile delinquency prevention." The 1974 act established a national program to deal with both juvenile justice and juvenile delinquency prevention and control as one interdependent system, despite some congressional opinion to the contrary. [58]

THE FEDERAL ROLE: EXPECTATIONS AND REALITIES

In some respects, the Safe Streets Act has become a panacea for a variety of problems of the criminal justice system. While supporters of the program contend that seven years and some $4 billion should not reasonably be expected to have a substantial impact on crime reduction, others look for more results from this investment. For example, the House Committee on Government Operations, in its 1972 report on the block grant programs of LEAA, stated:

> In some respects the block grant programs have resulted in better coordination of criminal justice agencies and improvements in criminal justice services, but regrettably it must be said that they have achieved far less than the Congress and the public can rightfully expect considering the vast amounts of public funds which the taxpayer has provided. [59]

Despite such disparate views, the expectations surrounding the Safe Streets Act must also be considered in light of the complexity of the crime problem, the relatively small amount of monies involved and the fragmented nature of the criminal justice system. As one commentator recently noted:

> The Omnibus Crime Control and Safe Streets Act of 1968 recognized the urgency of the national crime problem as a matter that threatens "the peace, the security and general welfare of its citizens," and made it "the declared policy of the Congress to assist state and local government in strengthening and improving law enforcement at every level by national assistance."
>
> Yet, year after year since 1968, crime has continued its persistent rise. The Safe Streets Act has been funded at 50 percent or less of its programmed level, and the

American public has been presented with a series of preposterous assurances that there is a cheap and easy way to eliminate street crime.

The rhetorical commitments of the President proposing this legislation and the Congress enacting it were magnificent but they have the timber of hollow echoes against the reality of performance. They provide good reason for Americans to believe that our national security is at stake as we face our domestic problems. They also provide ample justification for Americans to conclude that the President and the Congress do not mean what they say. The President and the Congress have repeatedly refused to act in accordance with their own rhetorical and legislative commitments.[60]

In summary, the legislative history of the Safe Streets Act reflects an evolution over a seven-year period of certain congressional ambiguities in legislative intent and shifts of funding mechanisms and functional emphases to achieve that intent. Beginning as a broad grant program designed to reduce crime and improve the administration of justice within a systemic perspective, but intended to emphasize law enforcement, the Safe Streets Act over the years has been repeatedly categorized in response to changing congressional priorities. By 1971, corrections had come to the forefront, followed by crime "control" in 1973 and juvenile justice in 1974. At present, Congress is considering the need for special statutory recognition to be given to courts and large urban communities. These statutory changes have been accompanied by shifts in attitudes regarding LEAA's role vis-a-vis the states in implementing the act. All of this action has occurred within the block grant framework; yet the legislative life cycle of Safe Streets seems typical of the Partnership for Health block grant and several formula-based categorical programs. At the outset, the functional scope and amount of recipient discretion are broad. Over time, both become more and more restricted. The net result is confused expectations on the part of both the grantor and grantee as to intergovernmental relationships in block grant administration. Whether the 1975-1976 period will witness continuation of the categorization trend, a stabilization, or a reversal, remains to be seen.

FOOTNOTES

[1]U.S. President, Message to the Congress, "Crime, Its Prevalence and Measures of Prevention," March 8, 1965, quoted in *1965 Congressional Quarterly Almanac* (Washington, D.C.: Congressional Quarterly Service, 1966), pp. 1396-97.

[2]*Law Enforcement Assistance Act of 1965*, Public Law 89-197, sec. 1 (September 22, 1965).

[3]Advisory Commission on Intergovernmental Relations, *Making the Safe Streets Act Work: An Intergovernmental Challenge* (Washington, D.C.: Government Pringing Office, 1970), p. 8.

[4]*Law Enforcement Assistance Act of 1965*, Public Law 89-197, sec. 7 (September 22, 1965).

[5]*The Police Chief*, December 1965, p. 24.

[6]Gerald M. Caplan, "Reflections on the Nationalization of Crime, 1964-1968," Arizona State University Law *Journal*, No. 3 (1973), p. 594.

[7]ACIR, *Making the Safe Streets Act Work*, p. 9.

[8]U.S. President, *Public Papers of the President of the United States* (Washington, D.C.: Office of the *Federal Register*, National Archives and Record Service), Lyndon B. Johnson, 1965-1966, p. 1012.

[9]Joseph F. Ohren, "Intergovernmental Relations in Law Enforcement: Implementation of the Safe Streets Act" (Ph.D. dissertation, Syracuse University, 1975), p. 18.

[10]The President's Commission on Law Enforcement and Administration of Justice, *The Challenge of Crime in a Free Society* (Washington, D.C.: Government Printing Office, 1967), p. vi.

[11]*Ibid.*, p. 634.

[12]Caplan, p. 605.

[13]U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, *Anti-Crime Program Hearings*, 90th Cong., 1st sess., 1967, p. 65.

[14]ACIR, *Making the Safe Streets Act Work*, p. 17.

[15]U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, *Anti-Crime Program Hearings*, Statement of Attorney General Ramsey Clark, pp. 64-65.

[16]U.S. Congress, House, remarks by Representative Gerald Ford, *Congressional Record*, August 3, 1967, p. 21201.

[17]Norman Abrams, "Federal Aid to State and Local Law Enforcement Implications of a New Federal Grant Program," *Notre Dame Lawyer* 43 (1968): 885.

[18]U.S. Congress, Senate, "General Minority Views," Report, *The Omnibus Crime Control and Safe Streets Act of 1967*, 90th Cong., 2nd sess., 1968, p. 230.

[19]*Congressional Record*, May 23, 1968, p. 14753.

[20]These organizations included the National League of Cities–U.S. Conference of Mayors, National Association of Counties, International City Management Association, National Governors' Conference and the National Urban Coalition.

[21]ACIR, *Making the Safe Streets Act Work*, p. 52.

[22]*Ibid.*

[23]U.S. Congress, House, Committee on the Judiciary, Report, *Law Enforcement Assistance Amendments*, 91st Cong., 2nd sess., 1970, p. 22.

[24]U.S. Congress, Senate, Committee on the Judiciary, Subcommittee on Criminal Laws and Procedures, *Federal Assistance to Law Enforcement: Hearings*, 91st Cong., 2nd sess., 1970, p. 642.

[25]Charles H. Rogovin, "The Genesis of the Law Enforcement Assistance Administration: A Personal Account," *Columbia Human Rights Law Review* V (1973):12-20.

[26]U.S. Congress, House, Committee on the Judiciary, *Law Enforcement Assistance Amendments*, p. 20.

[27]*Congressional Record*, October 8, 1970, p. S17531.

[28]ACIR, *Making the Safe Streets Act Work*, p. 26.

[29]The National League of Cities—U.S. Conference of Mayors, *Street Crime and the Safe Streets Act: What is the Impact?* February 1970, p. 8.

[30]Daniel Skoler, "Federal—State Administration of the Omnibus Crime Control and Safe Streets Act of 1968—A Balance Sheet," remarks for the Western Attorneys General Conference, October 20, 1969, p. 5.

[31]Donald G. Alexander, "New Resources for Crime Control: Experience under the Omnibus Crime Control and Safe Streets Act of 1968," *The American Criminal Law Review* 10 (July 1971): 211.

[32]*Ibid.*

[33]*Ibid.*, p. 210.

[34]U.S. Congress, Senate, Committee on the Judiciary, Subcommittee on Criminal Laws and Procedures, *Federal Assistance to Law Enforcement: Hearings*, p. 326.

[35]U.S. Congress, House, remarks of Representative Jonathan Bingham, *Congressional Record*, June 30, 1970, p. H6213.

[36]U.S. Congress, Senate, Committee on the Judiciary, Report, *Omnibus Crime and Control Act of 1970*, 91st Cong., 2nd sess., 1970, p. 30.

[37]National Governors' Conference, *The States and the Omnibus Crime Control Program Two Years After the Signing of the Act*, 1970, pp. 4-5.

[38]The National League of Cities—U.S. Conference of Mayors, *Street Crime and the Safe Streets Act*, pp. 21-24.

[39]U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, *Law Enforcement Assistance Amendments: Hearings*, 91st Cong., 2nd sess., 1970, p. 594.

[40]*Omnibus Crime Control and Safe Streets Act of 1968*, Public Law 90-351, sec. 302(3) (1968).

[41]U.S. Congress, Senate, Committee on the Judiciary, Report, *Omnibus Crime Control Act of 1970*, p. 44.

[42]U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, *Law Enforcement Assistance Administration: Hearings*, 93rd Cong., 1st sess., 1973, p. 133.

[43]U.S. Congress, House, Committee on Government Operations, Report, *Block Grant Programs of the Law Enforcement Assistance Administration*, 91st Cong., 1st sess., 1971, p. 6.

[44]*Ibid.*, p. 7.

[45]*Ibid.*, p. 8.

[46]*Ibid.*

[47]*Ibid.*

[48]U.S. Congress, House, Committee on the Judiciary, Subcommittee No. 5, *Law Enforcement Assistance Administration*, p. 94.

[49]U.S. Congress, House, Committee on the Judiciary, Report, *Law Enforcement Assistance Amendments*, 93rd Cong., 1st sess., 1973, p. 30.

[50]U.S. Congress, House, Committee on Education and Labor, Report, *Juvenile Delinquency Prevention Act of 1974*, 93rd Cong., 2nd sess., 1974, p. 66.

[51]U.S. Congress, House, remarks by Representative Alphonzo Bell, *Congressional Record*, July 1, 1974, p. H6056.

[52]U.S. Congress, House, remarks by Representative William A. Steiger, *Congressional Record*, July 1, 1974, p. 93.

[53]U.S. Congress, House, Committee on Education and Labor, Report, *Juvenile Delinquency Prevention Act of 1974*, p. 66.

[54]*Ibid.*, p. 81.

[55]U.S. Congress, House, remarks by Representative William S. Cohen, *Congressional Record*, July 1, 1974, p. H6064.

[56]U.S. Congress, House, remarks by Representative Shirley Chisholm, *Congressional Record*, July 1, 1974, p. H6064.

[57]U.S. Congress, Senate, remarks by Senator Roman L. Hruska, *Congressional Record*, July 18, 1974, p. S12834.

[58]U.S. Congress, House, remarks by Representative William A. Steiger, *Congressional Record*, July 1, 1974, p. H6050.

[59]U.S. Congress, House, Committee on Government Operations Committee, Report, *Block Grant Programs of the Law Enforcement Assistance Administration*, p. 6.

[60]Joseph A. Califano, Jr., *Washington Post*, September 7, 1965, p. B1.

Chapter III

Implementing the Safe Streets Act

31

The Omnibus Crime Control and Safe Streets Act of 1968 clearly resulted from a compromise of conflicting fears and purposes. Thus it was not surprising that the resulting legislation contained provisions that, if not contradictory, were at least pursuing somewhat different goals. The experimental block grant approach ultimately incorporated into the act was tempered by provisions specifying that grants be awarded only for seven categories that, although quite general, did serve to exclude certain areas of funding and encourage others.[1] Other requirements, such as the pass-through of funds[2] and the support of local planning efforts,[3] protected the interests of local governments and further limited state discretion.

The 1968 act, then, was in no sense a pure block grant awarded to the states to administer with wide discretion. Yet it did represent the first major program to be initiated using primarily the block grant instrument from the outset. Given this background, the administration of the Safe Streets program by both the Law Enforcement Assistance Administration (LEAA) and the states takes on additional significance for several reasons. First, even in the best of circumstances, a block grant program presents a real challenge to both grantor and grantee. An appropriate balance must be achieved between the leadership, direction and control exercised by the administering agency and the discretion, autonomy and independence sought by the state recipient. The

newness of the block grant approach presented additional problems; most experience at the Federal level with grants-in-aid in the field of criminal justice had been with a modest program of direct categorical grants handled by the Office of Law Enforcement Assistance (established in 1965).

Yet, the act itself presented the most serious administrative challenge, mainly because of the role it required the Federal administering agency, LEAA, to play. Essentially this role called for LEAA to distribute block grant funds after reviewing and approving individual state comprehensive plans, putting the agency in the delicate position of having to judge the adequacy of state plans without accepted standards other than the rather general requirements specified in the 1968 act. In addition, LEAA was responsible for assisting the states to increase their law enforcement and criminal justice capabilities through the provision of funds and expertise. The need to assume the conflicting responsibilities of both an "enforcer" and "helper" made each role more difficult to carry out.

THE FEDERAL ROLE PRIOR TO 1968

As was described in the previous chapter, when the Safe Streets Act was signed into law in 1968, the Federal government already had some experience in administering a grant program for the improvement of law enforcement and criminal justice. The Law Enforcement Assistance Act of 1965 grew out of the rhetoric of the 1964 presidential campaign and specifically out of President Lyndon B. Johnson's 1965 message calling for a War on Crime. This act created an Office of Law Enforcement Assistance (OLEA) as part of the attorney general's office. OLEA was established to administer the first Federal aid program designed to improve state and local law enforcement and criminal justice efforts.

With a reform-minded staff of approximately 25 people, OLEA sought to upgrade the various components of the criminal justice system by providing support for more effective training efforts and the development of new ideas and programs. During its three-year life (1965-1968), OLEA expended approximately $20.6 million on 356 separate projects. Overcoming initial problems of gaining recognition of its existence and applicants for its funds, OLEA carried out its grant operations amidst growing public and political pressures for a greater Federal role in combatting crime.

Although the total amount of Federal funds spent was relatively small, OLEA did have an impact in several ways. It awakened state and local officials and their professional organizations to the availability of Federal support, while lessening their fears that such aid would result in Federal preemption of state and local law enforcement efforts and perhaps lead to a national police force. It provided substantial funds for training and for new approaches to crime reduction, particularly in the law enforcement area. Even if lacking in long-term effects, OLEA established innovation and reform as appropriate goals of Federal funding and, perhaps more significant, provided funds for the establishment of planning agencies or commissions in 31 states, most of which would later become the authorized state planning agencies under the Safe Streets Act. As one observer commented in praising OLEA's work:

> Look at the field of crime control and law enforcement technology—an urban problem much more closely bound up in human factors than air pollution. Only 2 years ago it was difficult to find many people in the research community interested in or knowledgeable about any aspect of our national crime-control problems. Today, it's hard to find a research institute, university, or industrial laboratory where there aren't at least a dozen people exploring ways to improve law enforcement and criminal justice. What happened? The answer is that the Federal Government exerted strong leadership in a way which engaged the attention of the scientific and technical community very quickly and very effectively. The two triggering events apparently were a creation of the Law Enforcement Assistance Act by the 89th Congress and appointment of a Presidential Commission on Law Enforcement and Administration of Justice by the White House. Both actions focused national attention on crime as an urban problem. Both groups also worked hard to give the technical community an opportunity to begin a dialog within itself and with concerned Government people. This quickly began to produce problem definitions, ideas, and most important, action. Surprisingly, very little money has been involved thus far; appropriations for the Office of Law Enforcement Assistance had been miniscule when compared with Federal

spending for research and problem solving in many other areas. But if Congress provides the necessary research funds, it is likely that more progress will be made toward better law enforcement in 5 years than we have made toward air pollution control in 20.[4]

OLEA experienced frustrations as well as accomplishments, especially in its attempt to focus on research and innovative projects. Among the most significant obstacles were: a scarcity of well-designed experimental projects, the lack of adequate resources (both personnel and financial) at the state and local level to carry out such projects, insufficient Federal resources to effectively demonstrate project success through replication, and the absence of a complementary Federal grant program to meet basic state and local needs that would allow OLEA to support fewer and larger grants of longer duration focused more narrowly on research.[5] Although the Omnibus Crime Control and Safe Streets Act promised to alleviate some of the problems faced by OLEA, others would continue to hinder the implementation of the Safe Streets program.

ADMINISTRATIVE RESPONSE TO THE SAFE STREETS ACT: THE FIRST YEAR

With the signing of the Omnibus Crime Control and Safe Streets Act of 1968 on June, 1968, the Law Enforcement Assistance Administration began its operations. In its annual report one year later, LEAA cited the following accomplishments:

- Each state had created a planning agency and had drafted plans for criminal justice system improvements;
- Planning grants totaling $19 million had been awarded to the states;
- Action grants amounting to more than $25 million had been allocated the states to carry out the plans;
- LEAA had established its discretionary grant program and had awarded $4.35 million in discretionary funds; and
- The National Institute of Law Enforcement and Criminal Justice had begun awarding grants for research activities.

From outward appearances, LEAA was proceeding well in carrying out its administrative responsibilities with respect to the Safe Streets Act. Yet, problems had arisen during the first year which were to have as much long-term impact on the program as these early accomplishments.

Delay was a difficulty from the outset. It was not until Oct. 21, 1968, four months after the act was signed, that the three administrators of LEAA were nominated and took office as recess appointments of President Johnson. Reportedly, in an attempt to appease Senator John L. McClellan, chairman of the Senate Committee on the Judiciary who had earlier blocked the nominations of the original three administrators, President Richard M. Nixon withdrew these nominations and named three of his own nominees, who were not confirmed until the early spring of 1969.[6] Thus, the first year was marked by changing leadership, a problem which continued to affect LEAA's operations throughout its history.

This lag in establishing permanent leadership naturally led to delays in developing policy guidelines and awarding grants, another problem that has persisted to this day, as shown in the surveys and site visits conducted in the course of this study. Although the act was signed on June 19, 1968, ostensibly allowing a full year to set up operations and distribute block grant funds, the delay in appointing the administrators substantially cut down on the time allowed to develop guidelines for the state comprehensive plans, review the plans and distribute the funds. Therefore, even though the nucleus of the LEAA staff consisted of former members of OLEA who had brought with them many of the administrative procedures and practices developed in previous years, time pressures and limited staff of necessity resulted in a rather hurried development of guidelines, a rushed review of the state plans and last-minute approval of grant awards.

The relationship between the states and LEAA during this period could be characterized as cautiously cooperative. The states were aware and wary of the Johnson Administration's attempts to have the Safe Streets program operate as a direct Federal-local categorical grant. The LEAA staff, in turn, were concerned that the states would utilize Safe Streets funds to expand traditional and routine law enforcement activities rather than to support innovative approaches. There was also the fear on the part of LEAA that the states would neglect the needs of the larger cities where crime rates were highest. Both of these issues had been a major concern during the congressional hearings and would be raised repeatedly during the years ahead.

The first year's operation was significant in that

it established the basic approach used by LEAA in carrying out its mandated responsibilities with respect to the states. This approach required the development of guidelines for the submission of state plans and the subsequent Federal review and approval of those plans. In its first attempt at establishing guidelines late in 1968, LEAA found, after discussions with representatives of the SPAs and the public interest groups, that it had called for more detailed information and sophistication in planning than either time pressures or the capacity of the SPAs would allow. Thus, at the end of February 1969, the guidelines were simplified, and some required items were waived by LEAA. As the state plans were completed and submitted, they were reviewed against a checklist of requirements developed by LEAA. Deficiencies were noted, and negotiations with the state were undertaken to correct them. When there was insufficient time to correct the deficiencies, LEAA attached special conditions to approval of the state plan, requiring SPA action to correct the deficiencies within a specified time period. As will be discussed in Chapter IV, the use of special conditions has continued throughout the life of the program and is the chief means by which LEAA insures compliance with statutory regulations short of the rather drastic step of withholding funds.

The results of the first planning cycle were understandably unspectacular. In the opinion of several LEAA staff members, many of the state plans were incomplete, disorganized and of poor quality. Yet, given the short time allowed, the inexperience of the state planning staff and the newness of the planning process and the guidelines, they believed it was the best effort that could be expected from the SPAs. Indeed, several staff members at LEAA expressed surprise that the states were able to respond as adequately as they did in that first year.

LEAA, for its part, was not able to provide a thorough review of the state plans. While growing from an initial staff of 25 to a staff of 121 by June 30, 1969, LEAA organized itself as indicated in Figure III-1. Much of LEAA staff time during the first year was spent assisting the states in setting up their agencies and supervisory boards, developing internal procedures, dealing with public interest groups and establishing a satisfactory relationship with other units of the Department of Justice. There was great pressure to get the money out in the field to demonstrate the new "law and order" Administration's active role in combatting crime. This pressure, coupled with the statute's requirement that all funds be obligated by June 30 or returned to the Department of the Treasury, led to a hurried review of state plans. LEAA took great pride in having awarded all of its $29 million block grant funds by June 30, 1969.

This compressed review period left little time for the development of specific standards for state and local law enforcement and criminal justice systems to strive toward and for LEAA to use in judging the merits of individual state plans. Thus, the review of state plans became largely an effort to insure compliance with the basic requirements of the act.

The determination of whether a state plan met some of the more subjective requirements of the act (each plan shall " . . . incorporate innovations and advanced techniques . . . provide for effective utilization of existing facilities . . . adequately take into account the needs and requests of the units of general local government. . . .") was made by individuals in the Office of Law Enforcement Programs within LEAA on the basis of their own interpretations of what could reasonably be expected of the state. The substantive portions of the plan concerning activities to be funded were reviewed for internal consistency, overall balance and documentation of need. It should be again emphasized, however, that the plan review, of necessity, was shorter and more rudimentary than in subsequent years.

Although all plans submitted by the states were formally approved by the June 30, 1969 deadline, the rush to achieve compliance and start funds flowing left little time for the systematic development and application of uniform standards. Structures and procedures, although sometimes hastily conceived and implemented at LEAA and in the states, rapidly became institutionalized and later difficult to alter when experience and time for reflection suggested the need for change.

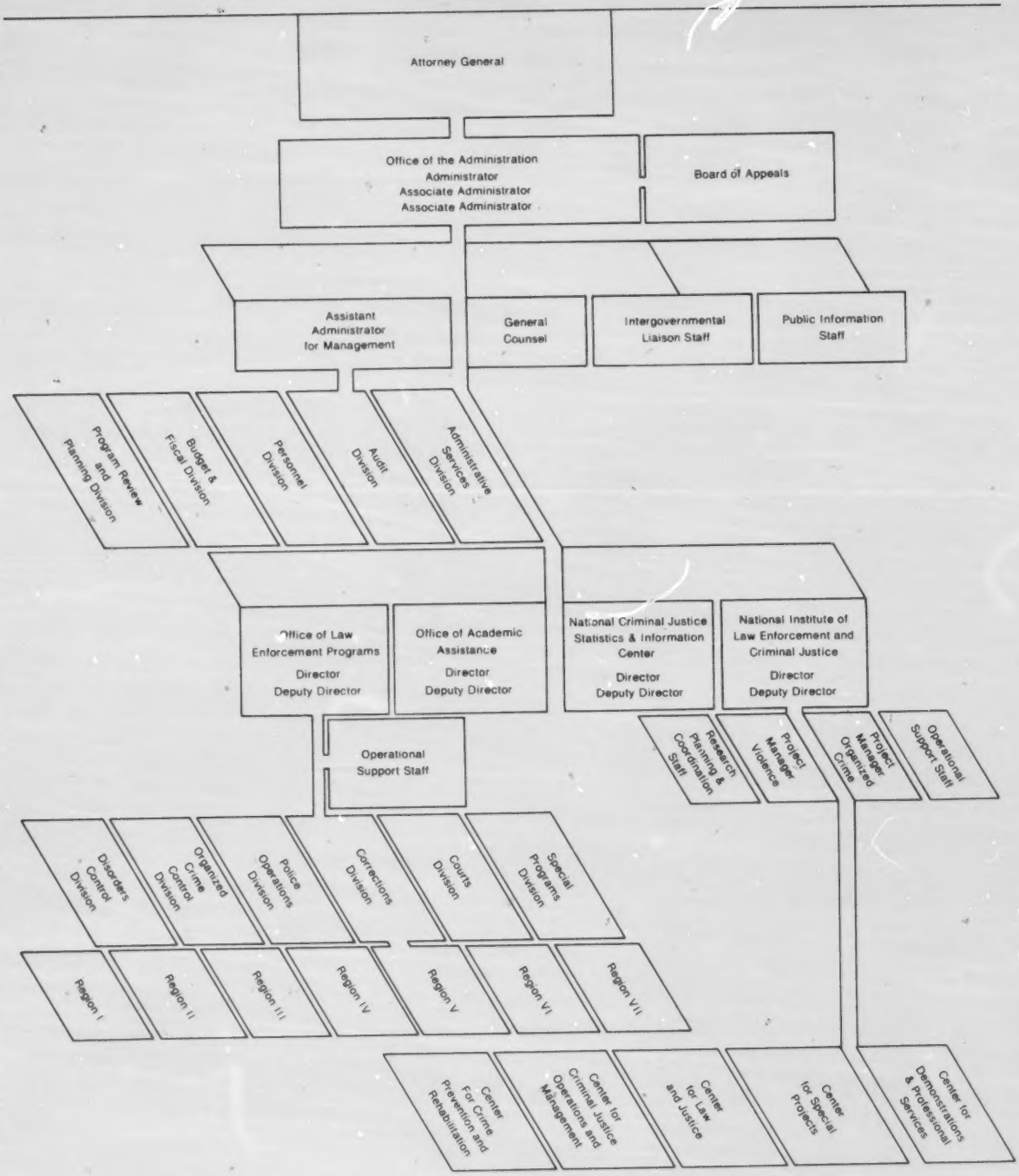
Administration Under The "Troika"

Although the first year of LEAA's operation was characterized by a sense of urgency and haste, the second year brought more serious problems, the most significant of which was the structure of the leadership. The "troika" arrangement, whereby unanimity among the three administrators was required in order to establish policy direction, was originally conceived to avert possible control of the program by

Figure III-1

Department of Justice
Law Enforcement Assistance Administration

June 30, 1969



the attorney general. Yet it can easily be seen how this arrangement would preclude strong and decisive leadership able to respond quickly to the unforeseen situations encountered by a fledgling organization.

From March through December of 1969, the leadership of LEAA was in the hands of Charles H. Rogovin and Richard W. Velde. Unlike the first three interim administrators, they did not share similar philosophical views or personal styles; this made the consensus form of leadership even more difficult than normally would have been the case. The effects of the administrators' difficulties in achieving consensus were felt immediately by the staff. Personnel actions were delayed until compromises could be reached, policy decisions were postponed and administrative decisions were held up. These difficulties persisted throughout 1969 and increased when the third administrator, Clarence M. Coster, was named at the end of the year. During this period there also were serious jurisdictional problems stemming from uncertainty about the administrative relationship between LEAA and the Department of Justice. This confusion, and in some instances direct conflict, led to further delays, particularly in hiring personnel. The problems with the "troika" arrangement and the Department of Justice relationship ultimately led to Rogovin's resignation in June 1970.[7]

During the next ten months, there was some hesitancy within the agency to initiate new activities, given the uncertainty about the appointment of a new administrator. Major activity during this period again focused upon the plan review process. The second planning cycle was much smoother as procedures became more routine and the planning capacity of the states increased.

The most significant structural change during this period was the establishment of seven regional offices around the country. Although ultimate authority for plan review and approval still remained in Washington, the regional offices served as a liaison between the states and the central office of LEAA, interpreting guidelines and reviewing plans initially for completeness. It was understood by everyone from the beginning of LEAA's operation that the establishment of the regional offices was inevitable and that the area desks within OLEA were temporary arrangements designed to provide liaison with the states until resources were available to staff regional offices. The exact nature of regional office responsibilities and the extent of their authority were less clear, because the plan review tasks were divided between the regional and central offices of LEAA. By June 30, 1970, LEAA's FY 1970 appropriation had grown to $268 million and was administered by a staff of 291, organized as indicated in Figure III-2.

During 1970, other external events began to influence the Safe Streets program. The first strong criticism of the administration of the Safe Streets Act by LEAA and the states began to be heard. Congress and some public interest groups focused on several specific issues. The National League of Cities and the U.S. Conference of Mayors protested that urban areas, experiencing the highest crime rates, were not receiving Safe Streets funds proportionate to their needs. There was also criticism from both within and outside LEAA that too large a percentage of state block grant funds was being allocated to police services and "hardware" purchases, to the detriment of other elements of the criminal justice system, particularly the corrections component. As indicated in Chapter V, there was substantial evidence to support these charges. Other problems, such as unbalanced representation on SPA supervisory boards, the poor financial accountability and practices of LEAA and the states and the excessive use of consultants also received considerable attention.

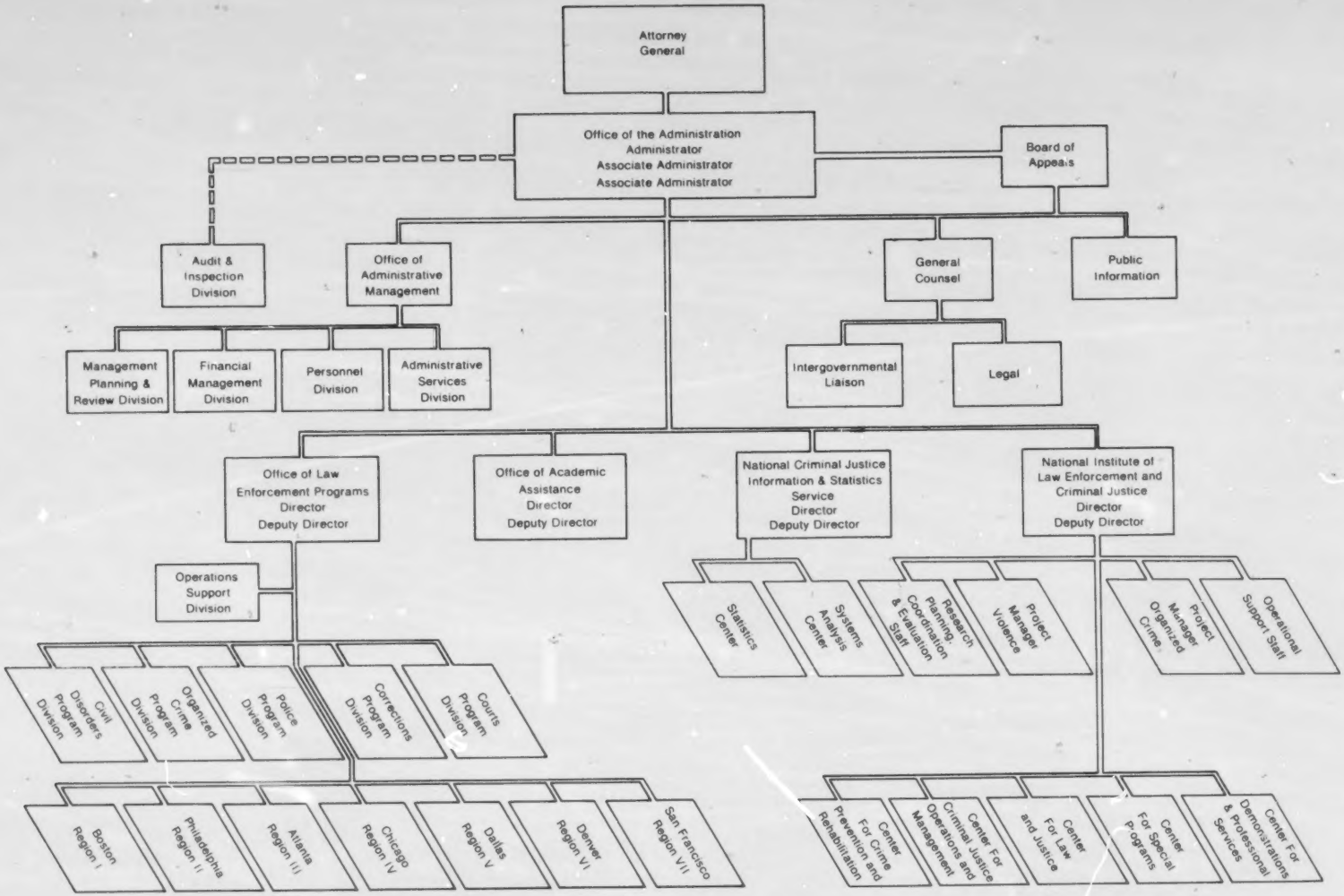
Those charges led Congress, in late 1970, to adopt several amendments to the original Safe Streets Act. These called for the elimination of the "troika" arrangement, the earmarking of a separate category of funds (Part E) for corrections purposes, the addition of statutory language emphasizing the distribution of action funds to high crime areas and planning funds to major cities and counties and the alteration of matching and pass-through requirements.

In many respects, the spring of 1971 constituted a new beginning for LEAA and the Safe Streets program. A three-year authorization had been passed by Congress. Appropriations for the program had increased substantially, to a level of $529 million in FY 1971. Satisfactory working relationships had been established with the states, and crime was decreasing. A new administrator was about to be appointed after an 11-month interim period, during which the lack of permanent leadership had contributed to substantial delays in processing grants in LEAA headquarters and had given many observers the impression that the agency was foundering. For the first time, the administrator would have clear-cut managerial and policy authority. It was a time for reflection on the experience of the past three years and the development of new initiatives.

Figure III-2

Department of Justice
Law Enforcement Assistance Administration

June 30, 1970



THE NEW FEDERALISM AT LEAA

When Jerris Leonard was sworn in as LEAA's third administrator on May 12, 1971, he found an agency which had grown considerably during its first three years. Both its staff and its appropriations (see Table III-1) had expanded very rapidly. Its relationships with the states had stabilized, and its internal operations had been formalized.

Table III-1

Staffing and Appropriations Levels for the Law Enforcement Assistance Administration

FY 1969-1976

Fiscal Year	Level of Appropriations	Level of Staffing
1969	$ 63,000,000	25 (as of 6/30/68)
1970	268,119,000	121 (as of 6/30/69)
1971	529,000,000	291 (as of 6/30/70)
1972	698,919,000	382 (as of 6/30/71)
1973	841,166,000	529 (as of 6/30/72)
1974	870,675,000	599 (as of 6/30/73)
1975	887,171,000	658 (as of 6/30/74)
1976	769,784,000*	712 (as of 6/30/75)

*Presidential request, yet to be approved by Congress.
Source: Law Enforcement Assistance Administration

Bringing with him a reputation as a firm administrator, Leonard immediately effected changes in LEAA's activities. One of his first actions was to establish an internal Task Force to examine the management and operations of LEAA and develop recommendations concerning organizational changes. Over a six-week period, the Task Force examined all aspects of LEAA's activities and discussed possible alternative organizational structures and funding approaches.

In carrying out its study, the Task Force reached agreement on several actions designed to strengthen aspects of LEAA's operations that had been weak in the past. Specifically, the task force emphasized the role of LEAA in helping the states and localities by greatly decentralizing authority and personnel resources to the regional offices. Formerly, all authority for approving comprehensive plans and discretionary grant awards rested with LEAA's central office. The Task Force found this centralized structure to be incompatible with LEAA's primary role in a block grant program—to monitor and assist the states and localities in carrying out federally supported activities.

A second weakness identified by the Task Force was LEAA's audit capability. As stated in its final report:

> In view of the sensitivity of criminal justice operations, the relative novelty of the state planning system created by LEAA, and a considerable local disdain for compliance with Federal regulations on grant funds, it is strongly recommended that the Audit Office be clearly established in direct relation to the Administrator. LEAA's Audit Office should adopt the objective of removing itself from direct financial audit and aim instead at producing state capability to provide this audit under proper guidelines . . . .[8]

This emphasis on the importance of a strong audit capability reflected a more acute awareness of LEAA's monitoring role under the block grant approach. This recognition was heightened by the findings of LEAA's own auditors and those of the Monagan subcommittee of the House Committee on Government Operations that some Safe Streets funds had been wasted and misused at the state and local levels.

The Task Force further recommended that an Office of Inspection and Review be established within LEAA to establish goals and objectives for the agency and provide leadership and coordination in the areas of planning and evaluation.

Finally, the Task Force found the Office of Law Enforcement Programs (OLEP) to be encumbered with numerous administrative responsibilities that could more appropriately be carried out at the regional level. By decentralizing authority for comprehensive plan and discretionary grant review to the regional offices, the Task Force hoped that this would not only eliminate duplication of functions and streamline the system of delivering funds and providing assistance to the states, but also allow OLEP (renamed the Office of Criminal Justice Assistance) to concentrate more on matters of policy.

Leonard began acting on the recommendations immediately. The number of regional offices was

expanded to 10, and each one received greater personnel resources. They also were given increased authority in distributing LEAA discretionary funds and in reviewing and approving SPA annual comprehensive plans. This decentralization of responsibility was consistent with both Leonard's management philosophy and the New Federalism approach of the Nixon Administration. The role of LEAA in assisting the states began to be stressed more clearly as LEAA's oversight and control responsibilities were de-emphasized. Yet, Leonard also greatly increased the audit capacity of LEAA while urging and assisting the states to do likewise.

The effects of the Monagan subcommittee's hearings on the subsequent actions of LEAA and the states are difficult to assess. As indicated in the previous chapter, criticisms expressed during these hearings focused on the excessive amounts of funds spent on police hardware, poor financial accounting and lack of LEAA leadership. Leonard's reaction to these charges was a forceful defense of LEAA's actions and the philosophy of decentralization inherent in the concept of New Federalism.[9] Some observers of the Safe Streets program believe that Leonard's advocacy of a limited Federal role represented a lost opportunity to provide strong Federal leadership of a substantive nature. They concluded that the criticisms of the Monagan subcommitee hearings led both LEAA and the states, for their own protection, to focus attention on the more technical aspects of financial control and accountability and the flow of grant funds, rather than on more substantive programmatic questions.[10] The proliferation of LEAA guidelines relating to financial control are cited as a direct result of the critical publicity emanating from the Monagan subcommittee's hearings. They speculate that the strong emphasis on financial accountability at the time greatly influenced the newly expanded regional offices and led to an exaggerated concern on their part for fiscal control and technical compliance with guidelines, thus limiting their ability to provide the states with more substantive expertise and assistance in the areas of planning and program development.

Others contend, however, that the increased importance subsequently placed on financial accountability by LEAA and the states was a necessary response to a clear need and did not divert attention or resources from improvements in planning and programming capacity. They also suggest that Leonard's interpretation of the Federal role was not only the appropriate response but the only possible one, because a more forceful and directive LEAA position vis-a-vis the states would have been strongly resisted by the states as a violation of the block grant concept and an intrusion upon the states' prerogatives. Although the appropriateness of LEAA's response may be debated, almost everyone agrees that the criticisms aired by the Monagan subcommittee were given considerable credence by both LEAA and the states in their future operations.

While adhering closely to the New Federalism approach in his dealings with the states, Leonard was far more active in administering the 15 percent of the annual Safe Streets appropriation designated as LEAA discretionary funds. A problem in the past had been achieving noticeable impact from the multitude of small discretionary grants supporting a broad spectrum of activities, each with its own objective. As the task force stated, " . . . a major thrust of the task force's recommendation is that a structure be developed and a general operating policy established that are directed toward more concentration and impact in specific areas. It appears that presently there is a tendency to spread resources too thinly so that many efforts have developed minor results, and even those that may have made significant impacts are difficult to measure."[11]

In an attempt to concentrate large amounts of resources on particularly troublesome areas or problems, Leonard initiated the Impact Cities program, which called for spending $160 million in eight high-crime cities over a three to five year period. To focus on particular crimes, the concept of crime-specific planning was developed by LEAA and used by crime analysis teams set up to plan for the Impact Cities funds in the eight cities. This approach called for planning, implementing and evaluation activities supported by Safe Streets funds by relating them to the specific crime that they were designed to affect, rather than to the functional area of the activity (police, courts, corrections). It represented an attempt to relate Safe Streets planning and funding activities more directly to the goal of crime reduction. The Impact Cities effort using crime-specific planning was the first large-scale LEAA initiative that directed substantial funds toward high-crime areas with the specific goal of reducing crime. (An earlier attempt in the Pilot Cities program was far more limited, concentrating largely on planning and coordinating activities within metropolitan areas). The Impact Cities Program also represented LEAA's first significant evaluation effort, because an evaluation of all Impact

Cities activities was required, and LEAA allotted a substantial amount of funds for the evaluation of the entire Impact program.

While discretionary funds still supplemented state programs by filling gaps in state block grant allocations, the emphasis during the Leonard administration was on awarding fewer but larger grants designed to demonstrate an impact by reducing crime in the most troublesome urban areas. This goal would become increasingly important as Congress and the public began to look at the results of the Safe Streets program in 1973, when crime rates began rising again.

One other initiative undertaken by LEAA during the Leonard administration was to have a significant lasting impact. The National Advisory Commission on Criminal Justice Standards and Goals began work in October 1971. This commission, divided into several task forces, was responsible for developing a
40 set of criminal justice standards and goals to serve as a model for state and local governments to use in reducing crime and improving criminal justice in their jurisdictions. This represented an effort on LEAA's part to provide substantive leadership without imposing national priorities on the states. It was later made clear that the standards and goals developed by the commission would not be imposed upon the states. Rather, LEAA indicated that these would serve as examples of the kinds of standards and goals that the states should set individually, selecting from among those developed by the national commission only the ones that were appropriate for each state.

It was also during the Leonard administration that the administrators of the 55 state planning agencies (SPAs) formed a professional association, the National Conference of State Criminal Justice Planning Administrators (NCSCJPA) to serve as a formal mechanism for the exchange of information and the expression of a common position on issues concerning the implementation of the Safe Streets Act. This gave the SPAs a more unified voice in communicating with LEAA while providing a forum to discuss mutual progress and problems.

When Leonard left LEAA in the spring of 1973, both LEAA and the state planning agencies had firmly established themselves within their respective levels of government. Both had developed extensive procedures for preparing and revising guidelines, developing and reviewing annual plans, reviewing and awarding grants and controlling financial transactions. The block grant funds, which were initially slow to move from the Federal level through the states to the local level, were now being awarded regularly.

Certain problems within the program, however, continued to draw criticism. The increased sophistication of both LEAA's regional offices and the state planning agencies led to more specific and more numerous guidelines, more thorough reviews of plans and applications and stricter control of finances. This triggered criticism from both the SPAs (of LEAA) and the subgrant recipients (of the SPA) that the flexibility and discretion originally intended in the block grant concept was being lost in a maze of red tape as the program became more bureaucratic in nature. Delays in reviewing applications and awarding funds were the most common complaints directed at both the SPAs and LEAA.

There was also a growing uneasiness about the large proportion of representatives of criminal justice agencies on regional planning boards. It was feared that overrepresentation of the criminal justice professions would weaken the influence of elected officials responsible for overall resource allocations and thereby result in the program being "captured" by the agencies it was intended to reform.

An additional problem concerned an emerging emphasis on evaluating the effects of the program to date. Having established fairly effective means of receiving and distributing block grant funds and accounting for their use, LEAA and the SPAs somewhat belatedly began to turn their attention to the results being achieved, only to find that little evaluation activity was under way and expertise in the area of evaluation was scarce.

As discussed in the previous chapter, these problems were the primary concerns of Congress during 1973 and resulted in amendments to the Safe Streets Act.

Activities Following the 1973 Amendments

In April 1973, Donald E. Santarelli was appointed as the fourth administrator of LEAA. Like Leonard, Santarelli created a management committee to analyze LEAA's goals and objectives and to identify organizational improvements.

This committee again examined the spectrum of LEAA's activities and responsibilities and developed recommendations for the administrator's actions. One of the recommendations called for increased attention to LEAA's role as a leader in the New Federalism effort with a continuation of the work

begun under Leonard to transfer greater decision-making authority to the states. A second recommendation defined the goal of LEAA to be the reduction of crime and delinquency, in partnership with the states, and called for the development of narrower subgoals to give more meaningful guidance to LEAA's activities.

A third recommendation recognized the need for standards against which to measure progress in the criminal justice system and therefore suggested the development of standards and goals at the state level, building on the work of the National Advisory Commission on Criminal Justice Standards and Goals, whose report was published in August 1973.

Other recommendations outlined a proposed organization and master work plan to carry out the recommendation and increase the efficiency and accountability of LEAA's organizational units and program managers.

Santarelli acted on the recommendations of the Management Committee. He implemented the reorganization shown in Figure III-3. The two most significant elements of this reorganization were the creation of the Office of Planning and Management (OPM), to develop and monitor the implementation of LEAA's goals, objectives and priorities, and the Office of National Priority Programs (ONPP), to design and support major discretionary programs at the national level. Essentially the creation of these two offices was designed to increase LEAA's internal capacity to provide leadership on a national front. The decentralization of authority to the regional offices was continued, with the exception of responsibility for the distribution of discretionary funds, which now became a central office function to further national priorities as identified by the administrator.

The initial emphasis during the Santarelli administration was placed upon increasing management effectiveness. To this end, a system of management-by-objectives, designed to achieve clarity of policy, direction and responsibility, was implemented by the newly created Office of Planning and Management.

In response to the congressional mandate for an evaluation of LEAA programs, in October 1973 a new Office of Evaluation was established within the National Institute of Law Enforcement and Criminal Justice. In addition, Santarelli appointed an LEAA Evaluation Policy Task Force to recommend appropriate evaluation policies and activities for LEAA. This task force reported in the spring of 1974, and many of its recommendations were initiated soon thereafter. Nevertheless, because of the magnitude and complexity of the problem of evaluation and the limited resources made available for the purpose, evaluation of the effectiveness of criminal justice programs is almost universally agreed to be the area most inadequately addressed by LEAA and the states.

With the control of the 15 percent discretionary funds returned to the central office of LEAA, Santarelli allocated these funds to further four major "initiatives," coordinated by the new Office of National Priority Programs. The four initiatives were:

- A citizens initiative, to increase citizen awareness of crime problems and citizen participation in the criminal justice system;
- A courts initiative, to provide support for a relatively neglected component of the criminal justice system;
- A standards and goals initiative, to: (1) promote the discussion of the standards and goals developed by the National Advisory Commission in their report in the late summer of 1973; and (2) encourage and support efforts by the states to formulate their own standards and goals; and
- A juvenile delinquency initiative, to focus resources on the problems of juvenile offenders and ways of handling them both within and outside of the criminal justice system.

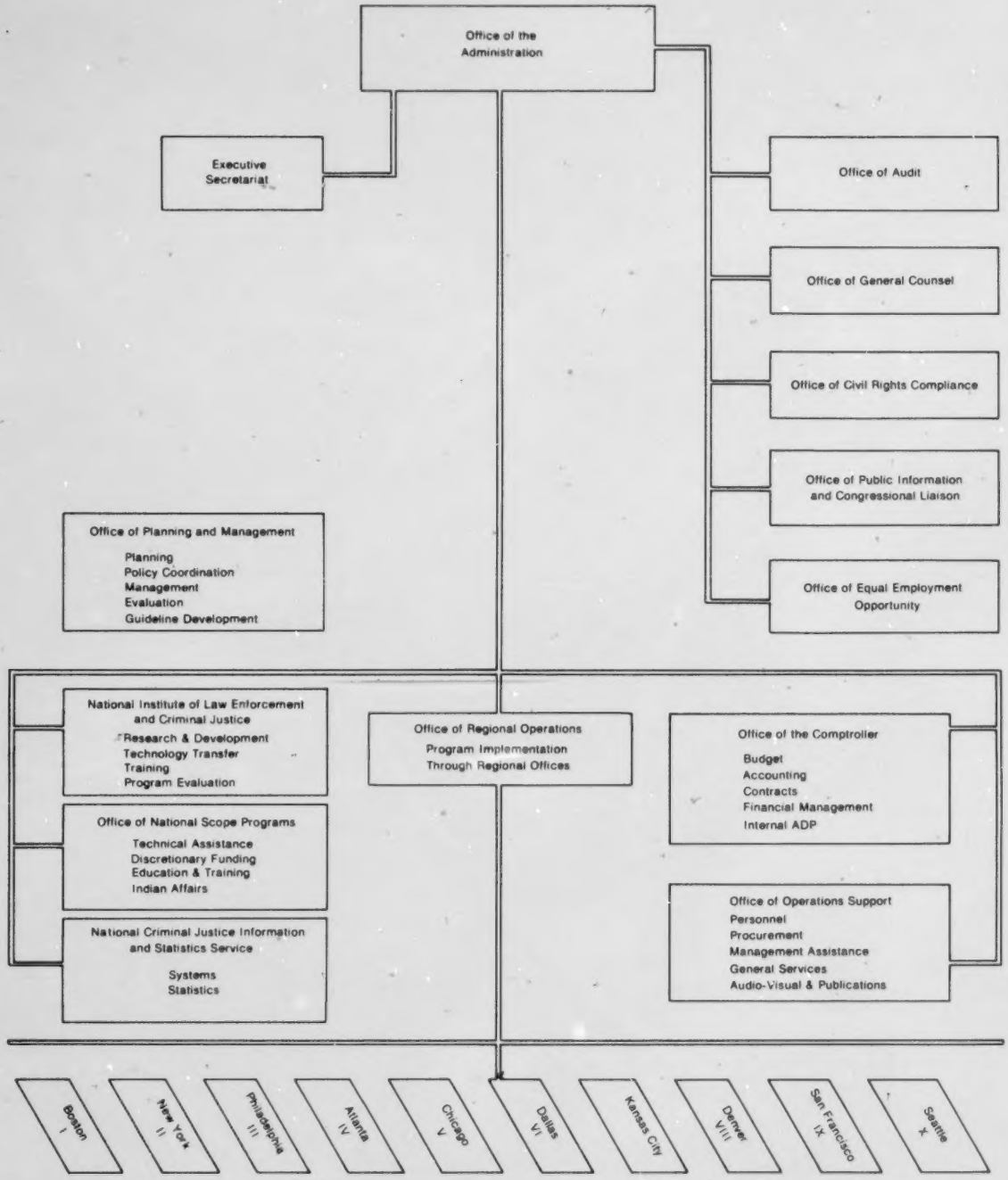
Perhaps the most controversial administrative action taken by Santarelli was the rotation of the regional office administrators to different locations. Various reasons have been given for this decision. It has been said that some regional administrators had become too independent from central office policies and too closely aligned with the states they were monitoring, thus compromising their objectivity. Others saw the rotation as a means of rejuvenating practices and procedures by providing new leadership in each regional office. The policy was unsettling and controversial, and the results were unclear. Several administrators left the program, while others assumed their new positions in other regions. Although he is opposed to the rotation policy, the present administrator, Richard W. Velde, feels that the resulting group of regional administrators is highly professional and quite capable.

Santarelli left office in September 1974. He was

Figure III-3

Organization of the
Law Enforcement Assistance Administration

July 1973



perhaps the most visible LEAA administrator, partially because of his highly articulate personal style and his philosophy that LEAA's role should be that of an advocate—first determining the effectiveness and worth of new programs and then influencing the use of block grant funds by the states by public advocacy and persuasion rather than by coercion.

During Santarelli's administration, LEAA continued to experience difficulties internally. Much bitterness was generated by the rotation of regional office administrators. Also, there were allegations that LEAA had relied too heavily upon, and perhaps misused, outside consultants in developing and carrying out Santarelli's initiatives. Thus, according to several LEAA officials, the morale of LEAA personnel was very low when Santarelli left the agency.

Richard Velde, LEAA's fifth administrator, was nominated for this position in the closing days of the Nixon Administration and sworn in on Sept. 9, 1974, during the early days of the Ford Administration. Velde represents one of the few threads of continuity in the Safe Streets program, having worked on the original legislation and having served as either associate administrator or deputy administrator of LEAA since 1969. In these positions he has displayed a strong commitment to the block grant concept while taking particular interest in correctional reform and systems development. Velde's experience and interest in congressional activities served LEAA well, as it has often been his responsibility to explain and defend the LEAA program and appropriations requests before Congress.

When Velde assumed the position of administrator, he announced a list of 16 priority areas that would be the focus of his interests (see Appendix III-1, p. 49). Reporting to the press every three months on progress in these priority areas, Velde cited the following accomplishments, among others, during his first year:

- The establishment of five new task forces to prepare standards and goals for (1) juvenile delinquency; (2) civil disorders and terrorism; (3) research and development; (4) organized crime; and (5) private security. This represented a continuation of the earlier standards and goals work initiated by Velde as associate administrator under Leonard in 1971.
- The establishment of the Office of Juvenile Justice and Delinquency Prevention and, within it, the National Institute of Juvenile Justice and Delinquency Prevention, with a $25 million appropriation from discretionary funds to implement the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974.
- Continued implementation of the LEAA evaluation program.
- New programs in the corrections and courts areas.
- More rapid processing of state planning grant applications and comprehensive plans using more definitive guidelines, resulting in a faster flow of funds to the states.

With the exception of the new emphasis on juvenile justice and the expansion of the standards and goals effort, few major initiatives have been started by Velde. He has cited the importance of consolidating previous experience and stabilizing the agency and has stressed the need to insure compliance with the intent of Congress as expressed in the act. This emphasis is reflected in the 1976 guidelines for the development of state planning grant applications and comprehensive plans, which are more specific and numerous than in previous years. As LEAA moves into 1976 and a reconsideration of its mandate, there appears to be an increasing recognition of its accountability to Congress for the implementation of the Safe Streets Act.

CONTINUING ADMINISTRATIVE ISSUES AND PROBLEMS

Throughout LEAA's history, several continuing issues or problems have had a significant impact upon the way in which the Safe Streets Act has been administered and the results achieved by the program. Chief among these are three: (1) the numerous changes in leadership; (2) the relationship and interaction between LEAA and the states; and (3) the administration of discretionary funds by LEAA. To understand the history of the Safe Streets program it is important to examine the effects of these three factors over time.

Changes in Leadership

LEAA has had five administrators in seven years. Each has had his own, often differing, policies, pri-

orities and philisophy concerning the issues confronting LEAA. In the opinion of almost all officials interviewed, the effects of this rapid turnover of top leadership, at the least, have been harmful to the agency's mission.

With each new administrator (with the exception of the incumbent), there came an internal reorganization of LEAA that was designed to reflect more effectively the priorities of the new regime. These reorganizations not only took much staff time and effort to plan and implement, but they required a shakedown period during which the staff and all those dealing with LEAA became accustomed to the new organization.

Continually changing priorities brought about by leadership turnover also presented problems, particularly with respect to the use of discretionary funds. The progression from Pilot Cities to Impact Cities to Santarelli's initiatives was neither smooth nor necessarily logical. As one former administrator noted, the rapidly shifting priorities resulted in no program operating long enough or receiving enough resources to demonstrate its worth.

LEAA's relationships with the states also suffered from this turnover, chiefly as the result of the administrators' differing views of the role of the regional offices with respect to the SPAs. Some stressed "capacity building" and the provision of assistance to the states, while others emphasized strict technical compliance with the statutory provisions.

The turnover in administrators was usually accompanied by changes in high-level staff positions. States were particularly upset by regional office turnover, because it required establishing new relationships and understandings between the SPA and the regions. As can be expected in such circumstances, interpretations of guidelines and requirements were not always consistent from one administrator to the next.

The leadership changes also brought significant delays and periods of tentativeness in formulating policies, as each new administrative team became familiar with their roles and responsibilities. This tentativeness was most apparent when LEAA was without a permanent administrator, periods which totaled to more than one year out of the agency's seven-year life.

It should be noted, however, that this frequent turnover was by no means peculiar to LEAA. Indeed, the 55 SPAs have experienced as much if not more turnover in the ranks of their executive directors during the past seven years. (As an example, 23 of the 55 SPAs changed directors between October 1974 and October 1975.)

The effects of this turnover on the state and national levels have been unsettling to the program and cannot be overlooked in reviewing the administration of block grants. At best, it appears to have exerted a distinctly inhibiting influence on the program. In the opinion of some observers, it has been the chief factor in preventing LEAA from exercising a more dynamic national leadership role.

Relationships with the States

The block grant concept implies the relatively flexible use of Federal funds by state and local governments with few conditions placed on their use. Yet, as discussed earlier, the Omnibus Crime Control and Safe Streets Act of 1968, as amended, is a "hybrid" block grant. Perhaps the most significant requirement was the mandate that each state must develop an annual comprehensive plan for review and approval by LEAA prior to its receiving funds. The act described the contents of a comprehensive plan in an extensive, but general fashion. This annual process of comprehensive plan development, review and approval has represented the most important point of contact—and conflict—between LEAA and the states. It also represents the primary means by which LEAA carries out its responsibilities to insure compliance by the states with the intent of Congress as expressed in the act.

The most troublesome aspect of the plan review process has been developing adequate guidelines for the states to use in preparing their planning grant applications and comprehensive plans. From the initial year of LEAA's operation, there have been delays in getting guidelines out to the states in sufficient time to allow an appropriate period for planning. One explanation offered suggests that in some years the guidelines have been late because they had to await the outcome of congressional decisions on program and funding authorizations. An additional reason for delay is the extensive process during which all parties review and revise the guidelines. Although this must occur prior to the distribution of guidelines in final form, the lead time necessary for this essential, but lengthy task has consistently been underestimated. One former LEAA administrator thought that the development of guidelines for the states was always a thankless task of low priority within LEAA and was never given the attention it deserved.

Compounding these delays has been the attempt

by LEAA to catch up with the fiscal year cycle by accelerating the deadlines for state submission of their comprehensive plans. This means that a normal 12-month planning cycle has often been compressed into nine months in order to get the funds to the states earlier.

The states' continuing frustrations of having to begin their planning cycle without guidelines from LEAA and then compress their planning into a shorter period of time has been the cause of much rancor between the SPAs and LEAA. But more important in terms of substantive impact on the states has been the number and nature of the guidelines promulgated by LEAA. Almost all of the provisions of the act that impinge upon the states are enforced by LEAA through the guidelines development and plan review process. The requirements concerning the composition of supervisory boards, the award of applications within 90 days, the structure and content of the comprehensive plans, state and local match, the distribution of Part E funds, the funding of high crime areas, and so forth, each results in additional guidelines which states must address satisfactorily in their comprehensive plans.

The number of guidelines has greatly increased. From a series of memoranda issued during the first year after extensive consultations with public interest groups, the plan and planning grant portions of the guidelines have grown to 196 pages. Most of this increase stems from two sources: (1) guidelines resulting from amendments to the original act that impose additional conditions on LEAA and state and local recipients; and (2) separate acts passed by Congress whose provisions must be enforced by LEAA within the context of the Safe Streets program.

Examples of the latter are:

- **Intergovernmental Cooperation Act of 1968:** States must establish procedures ensuring that all SPA comprehensive plans and applications for planning grants, subgrants and discretionary grants are submitted to the cognizant A-95 clearinghouse for review and resulting comments considered and incorporated by the SPA.
- **National Environmental Policy Act of 1969:** SPAs must establish procedures to insure that the requirements of Federal environmental policy are met. Environmental impact statements must accompany all applications that may have a significant effect on the quality of the environment.
- **Clean Air and Federal Water Pollution Control Act:** SPAs and subgrantees must comply with the provisions of this act.
- **National Historic Preservation Act of 1966:** Before awarding grants for the construction, renovation, lease or purchase of facilities, SPAs must consult the National Register of Historic Places and the state historic preservation officer to determine whether a National Register listing or a site eligible for listing in the National Register is involved in the undertaking. If so, more detailed guidelines must be followed.
- **Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970:** SPAs must establish procedures for identifying projects causing relocation and administering relocation assistance and payments.
- **Freedom of Information Act:** SPAs must abide by the rules governing the availability of information, the disclosure of material and the conduct of meetings.
- **Civil Rights Act of 1964 and Equal Employment Opportunity Regulations:** SPAs must designate a civil rights compliance officer, inform and obtain assurances of compliance from subgrantees and contractors concerning their civil rights requirements, provide the SPA staff with training and information in civil rights compliance, inform the public of the SPA's nondiscrimination policy and establish appropriate procedures for handling complaints.

Each of the above results in additional guidelines and requirements which the states must address and LEA must enforce. The states have become increasingly annoyed by this proliferation of guidelines, because it undermines the flexibility and freedom of action intended by the block grant approach.

LEAA is also concerned about the expanding guidelines. Because of the rather general nature of the requirements in the act, LEAA has been hard-pressed to develop guidelines that are both specific and enforceable. This generality also allows differ-

ing interpretations of requirements by LEAA and the states, leading quite naturally to disagreements.

The final step in the annual planning process is the review and approval of the state plans by LEAA. The pattern for this process was established in the first year. Upon receipt of each plan the relevant portions are distributed to the various specialists (police, courts, corrections, etc.), who note any deficiencies. Following the listing of deficiencies, a period of negotiation between the state and the regional office ensues during which time additional documentation is provided and deficiencies are corrected or assurances given that they will be corrected.

During these negotiations, the understood ground rule is that LEAA will require whatever can reasonably be expected of the state in terms of compliance during that year. This is particularly operative in those areas where there can be widely differing interpretations of requirements.

When, as in the first year, there is insufficient time to correct a deficiency prior to the approval of a comprehensive plan, special conditions are attached to the approval of the plan outlining steps that must be taken within a specified time period in order for the state in question to continue receiving block grant funds. Concerns have been voiced about the effectiveness of this technique, because the only way special conditions can be enforced is through the threat of withholding funds. Yet the political consequences of a cut-off of funding following the approval of a plan are so great as to preclude this step. Perhaps it is for this reason that, as mentioned by several SPA officials during the field interviews, the follow-up and enforcement of special conditions by the regional offices has been less than vigorous in past years. Recent indicators are that special conditions are now being enforced more firmly by the regional offices.

Over the years, while the annual plan review process has remained essentially the same, there have been changes in emphasis. In 1969, the review by LEAA was hurried and many special conditions were placed upon the state plans. During the decentralized Leonard administration, as the numbers and capabilities of the regional office staff members increased, the emphasis shifted to the provision of assistance to the states for building their capacity to assume as much responsibility as possible. At present, the emphasis within LEAA appears to be on insuring strict technical compliance by the states with the provisions of the act. Some feel that this has resulted in less personal contact with the states and greater attention to documentation and certification of compliance. This emphasis could reflect a clearer recognition of LEAA's accountability to Congress as well as the increase in the number of requirements to be monitored.

It is evident that LEAA has not developed and applied specific standards in assessing the performance of states and awarding block grant funds, as some would have desired. Yet it is questionable whether LEAA has a clear mandate to develop and apply such standards, given the limited role of the administering agency under a block grant. Further, had LEAA attempted to apply such standards, it is doubtful whether the states would have tolerated such "interference" and "instrusiveness" on the part of LEAA.

The Administration of Discretionary Funds

Just as the administrators of LEAA have demonstrated differing philosophies in administering the block grant, so also have they had differing views on the purpose and administration of discretionary funds.

During the early years of the Safe Streets program (1969-1970), the use of discretionary funds appears to have been influenced by the OLEA experience from 1965 to 1968. The emphasis was on using discretionary funds to promote innovative techniques and ideas that would serve as models for the states. It was assumed that such efforts, if successful, would have nationwide influence or application. Another use for discretionary funds during this period was to supplement and complement state block grants in an effort to fill any gaps in the state funding program. For example, several states began to rely heavily on Federal discretionary funds to support programs for Indians, considered by the states to be more a Federal than a state responsibility. At this time, discretionary grant awards were made directly from the central office of LEAA and reviewed by each administrator in the "troika."

Under Leonard the award of discretionary funds was decentralized to the regional offices and the goal of the discretionary funding changed. Leonard was much less interested in supplementing state block grant programs with a series of small grants than with demonstrating the impact that Federal funds could have when concentrated on a specific prob-

lem or geographical area. Thus, during the Leonard administration, stress was placed on funding larger grants with the purpose of demonstrating the effectiveness of a particular approach.

The most significant activity supported with discretionary funds during this period was the Impact Cities program, designed to plan, implement and evaluate the expenditure of up to $160 million in eight major cities over a two year period. By using the concept of crime-specific planning, this effort was intended to reduce specific crimes by 20 percent in five years.

As mentioned earlier, the goal of discretionary funding changed again under Santarelli. Authority for awarding discretionary grants was again exercised by the LEAA central office, and funds were used to support four major initiatives of the Santarelli administration—the citizens initiative, the courts initiative, the juvenile delinquency initiative, and the standards and goals initiative. These initiatives represented areas that the Santarelli administration considered both very important and/or relatively neglected. The office of National Priority Programs was established to award discretionary funds in these areas.

Under the Velde administration, the emphasis upon supporting major new initiatives has been ended. While retaining control of discretionary funds in the central office of LEAA, Velde has established the following as purposes of national discretionary funding:

- To promote research having national or multistate implications that no individual state could be expected to support;
- To fill identified gaps in state block grant funding; and
- To accelerate the implementation of state priorities by supplementing state block grant funds.

Thus, although activities in the areas of standards and goals and juvenile delinquency have been expanded, the emphasis in the Velde administration appears to be away from the use of discretionary funds to initiate large national demonstration programs and toward their use to complement state block grant programs.

As mentioned earlier, the frequent shifts in policies and priorities may have greatly limited the potential impact of discretionary funds. These shifts certainly produced confusion and uncertainty among the potential recipients. States and cities have complained in the past that they were not consulted or informed about activities supported by discretionary funds in their jurisdictions, particularly during those periods when discretionary grants were awarded directly from the central office of LEAA. It is difficult to assess the overall impact of discretionary funding. Major programs, such as Pilot Cities, Impact Cities, and Santarelli's initiatives, will perhaps best be evaluated by the recipients of those funds, when deciding whether to assume the program costs following termination of LEAA support. In light of the original dispute about whether the Safe Streets program should be a direct categorical grant to local governments or a block grant to states, however, the results of discretionary funding as compared with those of block grant funding become more significant. An attempt at such an analysis is presented in Chapter V of this report.

SUMMARY

The administrative history presented here is intended to be brief and descriptive, highlighting the major events in implementing the Safe Streets Act over the past seven years. It is clear that the program has had a history of controversy. Billed as a new administrative approach, the act was neither legislated nor administered as a pure block grant. Its goals have been overwhelmingly ambitious, to a degree that appears with hindsight to be naive. These goals are yet to be fulfilled.

As Congress reconsiders the act in 1976, the climate is far different from that of 1968. There is much less optimism about the impact that Federal funds can have on rising crime rates. The block grant approach has become accepted by many of its early opponents. LEAA seems ready to assert a more aggressive leadership role, though it remains to be seen whether this role will extend beyond the strict documentation of compliance with the act. But most significantly, the debate over renewal will focus on the evolution of the Safe Streets program and the results achieved. In assessing the achievements and failures, the administrative history cannot be overlooked.

FOOTNOTES

[1] ***Omnibus Crime Control and Safe Streets Act of 1968***, Public Law 90-351, sec. 301(b) (1968):

PART C—GRANTS FOR LAW ENFORCEMENT PURPOSES

SEC. 301.(a) It is the purpose of this part to encourage States and units of general local government to carry out programs and projects to improve and strengthen law enforcement.

(b) The Administration is authorized to make grants to States having comprehensive State plans approved by it under this part, for-

(1) Public protection, including the development, demonstration, evaluation, implementation, and purchase of methods, devices, facilities, and equipment designed to improve and strengthen law enforcement and reduce crime in public and private places.

(2) The recruiting of law enforcement personnel and the training of personnel in law enforcement.

(3) Public education relating to crime prevention and encouraging respect for law and order, including education programs in schools and programs to improve public understanding of and cooperation with law enforcement agencies.

(4) Construction of buildings or other physical facilities which would fulfill or implement the purposes of this section.

(5) The organization, education, and training of special law enforcement units to combat organized crime, including the establishment and development of State organized crime prevention councils, the recruiting and training of special investigative and prosecuting personnel, and the development of systems for collecting, storing, and disseminating information relating to the control of organized crime.

(6) The organization, education, and training of regular law enforcement officers, special law enforcement units, and law enforcement reserve units for the prevention, detection, and control of riots and other violent civil disorders, including the acquisition of riot control equipment.

(7) the recruiting, organization, training and education of community service officers to serve with and assist local and State law enforcement agencies in the discharge of their duties through such activities as recruiting; improvement of police-community relations and grievance resolution mechanisms; community patrol activities; encouragement of neighborhood participation in crime prevention and public safety efforts; and other activities designed to improve police capabilities, public safety and the objectives of this section: ***Provided***, That in no case shall a grant be made under this subcategory without the approval of the local government or local law enforcement agency.

[2] ***Ibid.***, sec. 303(2).

[3] ***Ibid.***, sec. 203(c).

[4] Charles Kimball, "Effective Research on Urban Problems," in ***Urban America: Goals and Problems***, report prepared for the Subcommittee on Urban Affairs, Joint Economic Committee, U.S. Congress (Washington, D.C., 1967), p. 88.

[5] Daniel Skoler, "Two Years of OLEA and the Road Ahead," paper presented at the Second National Symposium on Law Enforcement Science and Technology, Illinois Institute of Technology, March 1968.

[6] Richard Harris, ***Justice*** (Toronto and Vancouver: Clark, Irwin, 1970), p. 177.

[7] See Charles H. Rogovin, "The Genesis of the Law Enforcement Assistance Administration: A Personal Account," ***Columbia Human Rights Law Review*** V (1973): 9-25.

[8] U.S. Department of Justice, Law Enforcement Assistance Administration, ***Report of the LEAA Task Force***, May 1971, p. 6. A description of the Task Force and a summary of the Task Force Report are contained in the ***Third Annual Report of the Law Enforcement Assistance Administration, Fiscal Year 1971*** (Washington, D.C.: Government Printing Office, 1972), pp. 34-38.

[9] U.S. Congress, House, ***Block Grant Programs and the Law Enforcement Assistance Administration, Hearings before a subcommittee of the Committee on Government Operations of the House of Representatives***, 92nd Cong., 1st sess., 1971.

[10] For example, see E. Drexel Godfrey, "Federal Myopia and Crime Control," Rutgers University, 1975 (typewritten).

[11] LEAA, ***Report of the LEAA Task Force***, p. 3.

APPENDIX III-1

LEAA Priorities*

Short Term**

Corrections standards and goals refined and implemented.

Standards and goals task forces activated for organized crime, research and development, civil disorders, and juvenile delinquency.

Juvenile justice program revamped and expanded.

Courts funding increased.

Organized crime initiatives revitalized.

National Law Enforcement Telecommunications System upgraded.

Professional criminal justice educator recruited for LEEP.

Management reports issued.

Grants Management Information System improved.

Professionalism and two-way communications reaffirmed in employee relations.

Evaluation made an effective LEAA program component.

Congressional relations strengthened.

Privacy and security regulations promulgated.

Code of conduct written.

Mid Term**

Full-scale implementation of Grants Management Information System in all states.

Prison inmate training and education programs substantially expanded and improved in quality.

Model state court appellate process projects established.

Court reporting streamlined.

Automated legal research expanded.

Court administration improved.

Police executive training programs strengthened.

Career development program implemented.

Code of conduct published and implemented.

Police command and control systems upgraded.

Law enforcement equipment research projects fostered.

Police physical fitness increased.

State organized crime prevention councils established and made more effective.

Standards and goals implemented in all states.

CDS, NALECOM, Interstate Organized Crime Index, and Project SEARCH expanded.

Privacy and security guarantees codified.

Automated correspondence tracking and grants processing systems established.

Management By Objectives program implemented.

Criminal justice equipment standardization program expanded.

Programs to combat civil disorders and terrorism broadly instituted.

International assistance program implemented.

LEAA legislative authority extended.

Long Term**

Federal-state-local partnership completed.

Offender rehabilitation programs fully operational.

Juvenile delinquency causes studied and countered.

Prompt adjudication procedures established in all state and local courts.

Standards and goals in operation in all criminal justice agencies in the country.

Academic assistance program helping all qualified applicants.

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*From statement by Richard W. Velde, Administrator, Law Enforcement Assistance Administration, Monday, Sept. 9, 1974, Washington, D.C.

**Short term indicates less than six months, mid term means between six months and two years, and long term is more than two years. The priorities *are not* ranked in their order of importance.

APPENDIX III-2

Interviews Conducted

Melvin Axilbund
Former Assistant to Director, OLEA

Jerry Emmer
Former Director
Office of Inspection and Review

Paul Estever
Former Deputy Director
Office of Law Enforcement Programs

Frank Jasmine
Former Staff Member, OLEA

Jerris Leonard
Former Administrator, LEAA

Louis Mayo
Staff Member, NILECJ

Joseph Nordoza
Director
Office of Regional Operations

Charles Rogovin
Former Administrator, LEAA

Donald Santarelli
Former Administrator, LEAA

Daniel Skoler
Former Director
Office of Law Enforcement Programs

Richard Velde
Administrator, LEAA

Bill Wayson
Former Budget Officer, LEAA

Chapter IV

Safe Streets Planning and Decision-Making

State governments were assigned a pivotal role in the Safe Streets program. They were expected to serve as planners, coordinators, resource allocators, administrators, decision-makers and innovators. It was their task to develop the organizational structures and procedures through which the ambitious statutory crime reduction and system improvement goals could be pursued. With little guidance from the Law Enforcement Assistance Administration (LEAA) or previous experience in criminal justice planning, in 1968 each state set about to create the basic framework for implementing the block grant program. This chapter reviews the ways in which states and localities have organized and carried out Safe Streets planning and examines the results of these efforts.

Fundamental to this discussion is an understanding of the various perceptions of what the Safe Streets Act was supposed to do. As mentioned earlier in this report, the program began as an effort to curb growing domestic violence through more effective state and local law enforcement. Over time its purpose and intent have become increasingly clouded and uncertain, as the act has been amended to reflect concerns and criticisms raised by congressional committees, local government spokesmen and representatives of various criminal justice functional interests.

Paralleling these legislative developments have been shifts in attitudes about the role to be played by LEAA in administering the program. As the

first Federal aid program to utilize the block grant instrument from the outset, Safe Streets required LEAA to assume a posture far different than that traditionally exercised by Federal agencies in managing categorical grants. LEAA has had to strike a delicate balance between providing direction to the states and preserving their discretion. Although some have urged LEAA to exert a stronger leadership role in setting national standards, assessing state performance and communicating the results of successful undertakings, others have cautioned against unnecessary Federal intrusiveness and interference in state and local affairs.

The views of state, regional and local officials concerning the Safe Streets Act reflect much of the confusion at the national level. ACIR's surveys of all three groups asked each to rate several possible objectives of the Safe Streets program in order of their relative importance.* Weighted averages of their responses were computed to yield an index or scale value for each objective, and the results are displayed in Figure IV-1. It is clear that the local perception of objectives differs markedly from that of the state planning agencies (SPAs) and regional planning units (RPUs), which see the Safe Streets program primarily as a means to establish a criminal justice planning capacity at the state and local level and to carry out innovative programming. Local governments, on the other hand, believe the primary objective of the program to be providing funds to supplement state and local criminal justice budgets. Innovation is of far lesser importance in their judgment.

These disparate views underscore the debate at the national level over the purposes of the block grant. Further, they affect the nature of the state and local planning processes emanating from the Safe Streets Act.

STATE PLANNING AGENCY ORGANIZATION

In 1968, the top priority item on state and local agendas for the Safe Streets program was the development of a criminal justice planning capacity. The act required that the governor designate a permanent administrative and decision-making body, composed of a full-time staff and a supervisory or policy-making body, to receive block grants and make subgrants to state and local governments. The state planning agency had to be created within six months following the passage of the act. Otherwise, LEAA would have been authorized to deal directly with units of local government in non-compliant states. According to ACIR's 1970 report, all states had set up a law enforcement planning agency pursuant to the Safe Streets Act by December 1968.[1]

When the Safe Streets Act became law in 1968, little criminal justice planning was being performed and minimal experience with block grants existed at the Federal, state and local levels. Thirty states had begun organizing their criminal justice planning efforts with assistance from a total of $2.9 million in grants awarded by LEAA's predecessor, the Office of Law Enforcement Assistance (OLEA). In most instances, states supported by OLEA had established advisory bodies and had begun to examine their crime problems. Since no funds were made available for implementation of the recommendations of these advisory bodies, the activities which resulted from OLEA's grants were directed toward research in an evaluation of criminal justice practices and toward dissemination of information concerning the latest technology. In several instances, OLEA grants for criminal justice planning were sought and awarded in order to help states prepare for the pending block grant program. Most of these advisory boards, committees and commissions were designated by their chief executive as the nucleus of the state planning agency once the proposed Safe Sreets Act became law.

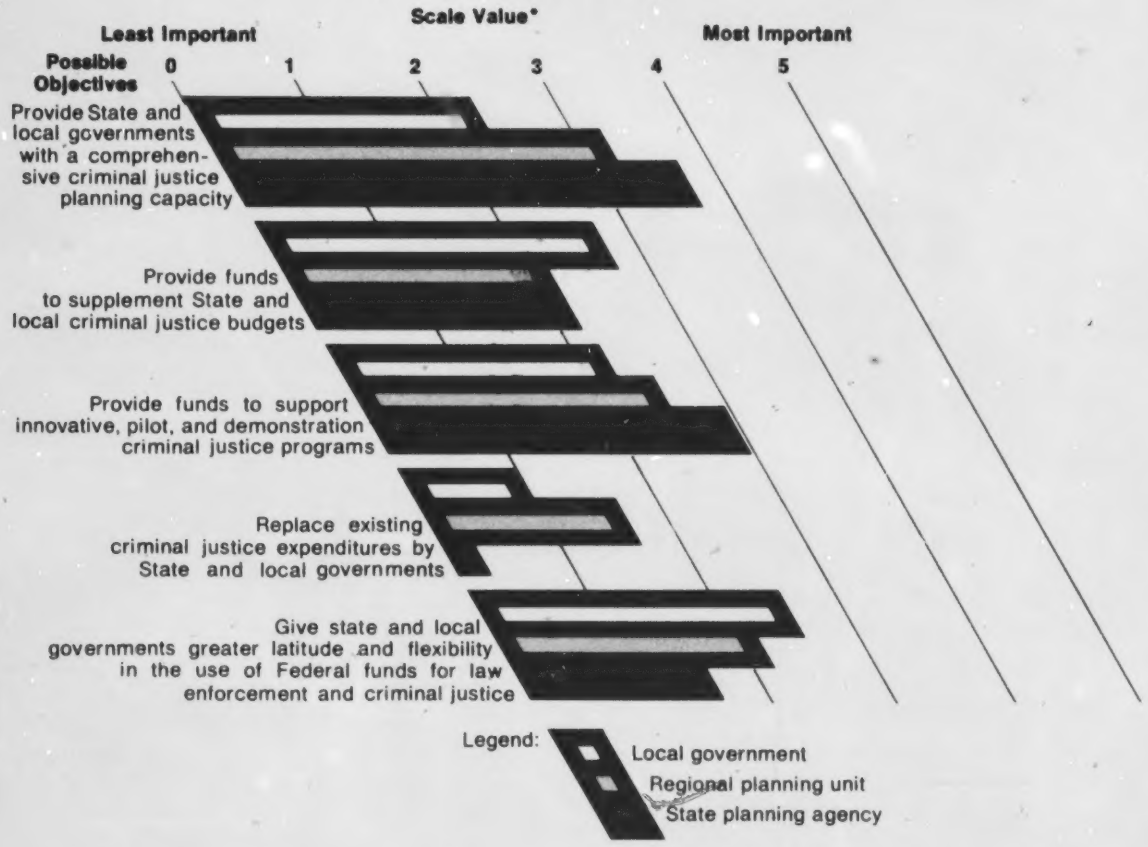
The Safe Streets Act required that SPAs be "created or designated by the chief executive of the State" and be "subject to his jurisdiction."[2] The intent of the Congress was to guarantee gubernatorial supervision and authority over planning and management of the Safe Streets program in order to avoid duplication of effort and conflict at the state level and between state and local criminal justice agencies. LEAA's guidelines, however, allow a state legislature to prescribe the size, composition or other characteristics of the SPA as long as the governor's authority over the agency is clear. Therefore, an SPA may be created by executive order, legislative enactment or a combination thereof. In recent years the trend toward establishing SPAs under statutory authority has been increasing, as SPAs seek a more permanent status in state govern-

*Except where otherwise indicated, the data presented in this chapter have been derived from ACIR's surveys of SPA directors, regional planning units, and local governments over 10,000 population. For information concerning the design, distribution, and response rates of these surveys, consult Chapter 1 of this report and Appendices A, B, C and D, Report A-55a.

Figure IV-1

Ranking of Possible Objectives of the Sate Streets Act by SPA, RPU and Local Officials

October 1975


Scale Value*
Least Important
Most Important
Possible Objectives
0
1
2
3
4
5
Provide State and local governments with a comprehensive criminal justice planning capacity
Provide funds to supplement State and local criminal justice budgets
Provide funds to support innovative, pilot, and demonstration criminal justice programs
Replace existing criminal justice expenditures by State and local governments
Give state and local governments greater latitude and flexibility in the use of Federal funds for law enforcement and criminal justice
Legend:
Local government
Regional planning unit
State planning agency

*Scale value is the sum of each possible ranking for the objective multiplied by the number of respondents indicating such rank, divided by the total number of respondents.

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ment. According to the FY 1976 state planning agency planning grant applications, 35 SPAs have been created by executive order and 20 through legislation (see Appendix IV-1, p. 98).

The location of the SPA in state government is another decision primarily reserved to the states. LEAA guidelines permit the creation of the SPA "as a new unit of State government or a division or other component of an existing State crime commission or other appropriate unit of State government."[3] Consistent with congressional preferences, most SPAs have been and continue to be directly under the control of the governor. In 1970, 45 SPAs were located within the governor's office.[4] As of May 1975, 40 SPAs were under gubernatorial control, a slight reduction from 1970 due, in part, to several state government reorganizations. In the 15 states in which the SPA is not a part of the governor's office, it has been placed in an executive branch agency—usually a department of public safety, planning or urban affairs.

Functional Responsibilities

Once established, the next task for SPAs was role definition. The Congress had stated in the act that SPAs were required to develop a comprehensive plan for the improvement of law enforcement throughout the state; to define, develop and correlate law enforcement improvement programs and projects for the state and local governments; and to establish priorities for improving law enforcement.[5] Taking these and other statutory requirements into account, LEAA formulated a list of functions that SPAs were expected to perform. The list appearing in Table IV-1 was published in the 1975 guideline manual; most of these functions have been mandated by LEAA since 1969. Basically, they can be clustered into two groups: those which contribute to the decision-making role of the SPA, such as planning and the establishment of improvement priorities; and those which are essential to the efficient administration of the program, such as fi-

Table IV-1

State Planning Agency Functions

A. Preparation, development and revision of comprehensive plans based on an analysis of law enforcement and criminal justice problems within the State;
B. Definition, development and correlation of action programs under such plans;
C. Establishment of priorities for law enforcement and criminal justice improvement in the State;
D. Providing information to prospective aid recipients on procedures for grant application;
E. Encouraging grant proposals from local units of government for law enforcement and criminal justice planning and improvement efforts;
F. Encouraging project proposals from State law enforcement and criminal justice agencies;
G. Taking action within 90 days after official receipt of local applications for aid and awarding of funds to local units of government;
H. Monitoring progress and expenditures under grants to State law enforcement and criminal justice agencies, local units of government, and other recipients of LEAA grant funds;
I. Encouraging regional, interstate metropolitan regional, local and metropolitan area planning efforts, action projects and cooperative arrangements;
J. Coordination of the State's law enforcement, criminal and juvenile justice plan, with other federally supported programs relating to or having an impact on law enforcement and criminal justice;
K. Oversight and evaluation of the total State effort in plan implementation and law enforcement and criminal justice improvements;
L. Provide technical assistance for programs and projects contemplated by the State plan and by units of general local government;
M. Collecting statistics and other data relevant to law enforcement and criminal justice in the State and for state criminal justice planning management, and evaluation purposes, as required by the Administration.

Source: U.S. Department of Justice, Law Enforcement Assistance Administration, *Guideline Manual: State Planning Agency Grants*, M4100 1D, March 21, 1975, pp. 4-5.

Table IV-2

Views of SPA Directors Regarding Degree of Change in SPA Capabilities

October 1975

	Greatly Increased		Moderately Increased		Slightly Increased		No Change		Decreased		Total	
	No.	%	No.	%	No.	%	No.	%	No	%	No.	%
Planning	39	75.0	12	23.1	0	—	1	1.9	0	—	52	100.0
Establishing funding priorities	31	59.6	18	34.6	2	3.8	1	1.9	0	—	52	99.9
Implementing funding priorities	24	46.2	21	40.4	6	11.5	1	1.9	0	—	52	100.0
Monitoring	30	59.7	14	26.9	6	11.5	2	3.8	0	—	52	99.9
Evaluation	26	50.0	14	26.9	10	19.2	2	3.8	0	—	52	99.9
Grant review	33	63.5	14	26.9	4	7.7	1	1.9	0	—	52	100.0
Research	9	17.3	15	28.8	19	36.5	9	17.3	0	—	52	99.9
Technical assistance	17	32.7	23	44.2	8	15.4	4	7.7	0	—	52	100.0
Auditing	33	64.7	13	25.5	2	3.9	3	5.9	0	—	52	100.0
Other	3	50.0	2	33.3	1	16.7	0	—	—	—	6	100.0

nancial management, monitoring, evaluation and technical assistance. A more complete discussion of the decision-making and administrative functions is contained in the second section of this chapter. In some states the governor or the legislature has prescribed additional responsibilities to be performed by the SPAs as agencies of state government.

Despite the fact that LEAA required the SPAs to perform all of the functions listed in Table IV-1, the emphasis during the early years of the program was on developing an annual comprehensive plan and awarding subgrants. As indicated in Chapter III, the start-up delays generated pressure for getting monies into the field. At the national level, this was translated into rapid approval of the states' first annual plans, and the concern for speed rather than substance was not lost on the SPAs. Since that time, the priority accorded to particular SPA functions by LEAA and the states has varied in response to several factors. The most recent functional emphasis has been on evaluation.

Overall, the SPA directors believe that there has been an increase in the capacities of the SPAs to perform most of their functions. Table IV-2 shows the degree of change in SPA capabilities over the past six years as perceived by the directors participating in ACIR's survey. As can be seen from the table, more than half of the 52 respondents believed that SPA capabilities had greatly increased in planning, establishing funding priorities, monitoring, evaluation, grant review and auditing. All of the directors thought that SPA capabilities in performing each of the listed functions had either increased or stayed the same. Improvements in SPA functional capabilities can be attributed in part to increased knowledge about criminal justice planning and the block grant mechanism, more technical assistance from LEAA, a general upgrading in management accompanying the maturation of the program and greater Federal resources to support SPA functions.

Part B Funding

Under Part B of the act, Congress provides funds specifically to support the SPA's planning and administrative activities. In 1969, the states received a minimum base of $100,000, which accounted for $5.5 million of the $19 million Part B appropriation. The remainder of the Part B appropriation was allocated on a population basis, so that the range in 1969 was from $1,387,900 for California to $101,890 for American Samoa. With the amendments to the act in 1971, the Part B base award was increased to $200,000. Five years later, the planning allocations were estimated to total $60 million—an increase of more than 200 percent since 1969—and range from $4,954,000 for California to $207,000 for American Samoa. FY 1976 Part B funds are ap-

proximately 15 percent of the Part C block grant appropriations.

The act does not allow more than 60 percent of the Part B award to be retained at the state level. The states must match the Federal Part B dollars retained for SPA operations on a 90 percent Federal/10 percent state basis. Twenty-six states intend to provide resources in excess of the minimum amount required by law; in 12 of these, state matching funds account for more than 20 percent of the total Part B allocation (see Appendix IV-2, p. 99).

Despite the tremendous growth in Part B appropriations, 71 percent of 49 SPAs indicated that such funds were still inadequate to carry out their planning responsibilities. As a result, more than half of these agencies noted that their SPA's ability to perform evaluation, monitoring and planning had been greatly hampered. The pinpointing of these three functions is particularly interesting because respondents felt that SPA capabilities to perform them had greatly increased over the years. This reaction is probably due to growth in LEAA procedural requirements, which some SPAs believe consume too much time and resources that could have been better applied elsewhere. Table IV-3 groups SPA views with respect to the adequacy of available resources for planning by state population. Ninety percent of the small states reported that Part B funds had been inadequate for planning, while only 64 percent of the large states and 56 percent of the medium-sized states agreed.

Supervisory Board and Staff

As previously mentioned, the state planning agency for Safe Streets purposes is composed of a supervisory or policy-making body and a full-time staff. The supervisory body is primarily concerned with the decision-making functions of the SPA, and the staff handles administrative matters. At times, this delineation of responsibility has become blurred. Since Part B appropriations support the SPA staff as well as regional and local planning activities, the allocation of these funds within a state could be viewed as an administrative function to be performed within the executive budget framework of state government. In 34 SPAs, however, the supervisory body reviews and approves Part B allocations to the SPA, regional planning units and local units of government.

The degree to which the primary decision-making responsibilities are handled by the supervisory body or the staff is also unclear in some instances. The major decisions made by the SPAs concern the contents of the annual plan and the grant applications to be funded. Critics of the program contend that although Congress intended the supervisory bodies to make these important decisions, such authority is often exercised by the staff. As the program has matured, the role definitions of supervisory board and staff have been clarified in each state, although changes in gubernatorial direction have resulted in periodic redefinitions of their relationship.

ACIR's survey of SPA directors probed the role of the supervisory body in planning and funding decisions. Table IV-4 shows that 21 respondents indicated that their supervisory bodies took an active and influential role in reviewing and approving specific activities included in the annual plan. At the same time, 22 stated that the supervisory body bas-

Table IV-3

Views of SPA Directors Regarding Adequacy of Part B Funds for SPA Planning

October 1975

Population Size of States and the District of Columbia	Adequate		Inadequate		Total
	No.	%	No.	%	
5 million or more	4	36	7	63.6	11
2 million to 5 million	8	44.4	10	55.6	18
Less than 2 million	2	10	18	90	20
TOTAL	14	28.6	35	71.4	49

Table IV-4

Views of SPA Directors Regarding Degree to Which the Supervisory Body Takes an Active and Influential Role in Reviewing and Approving Activities in the Annual Plan

October 1975

	Number*	Percent of 52 States Responding
Sets broad policies and priorities only	7	13.5
Review and approval of general activities	15	28.8
Review and approval of specific activities	21	40.4
Accepts staff recommendations with review	22	42.3
Accepts staff recommendations without review	0	—
Other	2	3.8

*Some states checked multiple responses.

ically accepted staff recommendations with review. No SPA director reported that staff recommendations were accepted without review.

The role of the supervisory body in approving specific applications for funding is more clear-cut. Table IV-5 reveals that in 20 SPAs the supervisory body approves or disapproves all applications after discussing each one. At the other extreme, in five all approval and disapproval authority has been delegated to the staff. In nine states, the supervisory board only considers applications above a specified amount, ranging from $1,000 to $50,000. Normally,

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Table IV-5

Views of SPA Directors Regarding Degree to Which Supervisory Body Takes an Active and Influential Role in Reviewing and Approving Specific Applications for Funding

October 1975

	Number*	Percent of 47 States Responding
All approval and disapproval authority delegated to SPA staff	5	10.6
Supervisory board approves and disapproves applications above specified amount**	9	19.2
Supervisory board approves and disapproves all applications normally without individual discussion except for a problem or controversial case	9	19.2
Supervisory board approves and disapproves all applications, normally after discussing each of them	20	42.6
Other	5	10.6

*Some states checked multiple responses.

**The minimum amounts are: $50,000, one state; $25,000, one state; $5,000, two states; $2,500, 1 state; $2,000, two states; $1,000, two states.

the executive director is authorized to approve or disapprove applications below this figure, although he may be required to report on these actions to the supervisory board. In general, it appears that supervisory bodies are more involved in funding than in planning decisions. In some states an effort is under way to devote more board time to policy-making and comprehensive planning instead of requests for support.

Because the SPA supervisory boards are basically responsible for "reviewing, approving and maintaining general oversight of the State plan and its implementation,"[6] the composition of these bodies is of great interest. The Safe Streets Act stipulates that the SPA supervisory board be representative of law enforcement and criminal justice agencies, units of general local government and public agencies "maintaining programs to reduce or control crime." LEAA's planning guidelines specify eight types of interests that must be represented on these boards in order to meet the statutory mandate: (1) state law enforcement and criminal justice agencies; (2) elected policy-making or executive officials of units of general local government; (3) law enforcement officials or administrators from local units of government; (4) each major law enforcement function including police, courts, corrections and juvenile justice; (5) public agencies maintaining crime prevention and control programs; (6) a range of jurisdictions that provides reasonable geographical and urban-rural balance as well as high crime area representation; (7) spokesman for the concerns of state law enforcement agencies and local governments and their law enforcement agencies; and (8) citizen and community interests.[7] Determination of whether each SPA complies with the "balanced representation" requirement is an LEAA responsibility.

According to the FY 1976 planning grant applications, the number of members on SPA supervisory boards varies widely—from eight in Guam to 75 in Michigan, with a national average of 26. In most states, all members are directly appointed by the governor, although his or her flexibility in making such appointments is limited by LEAA's representation requirements and in some states by statutory membership specifications. The legislature makes some appointments to the SPA boards in California and the Virgin Islands.

Information obtained from the FY 1976 planning grant applications reveals reasonable balance on supervisory boards in terms of governmental level, but with respect to functional representation, a weighting in favor of courts and police appears. (See Appendices IV-3, IV-3.1, IV-3.2, p. 100 ff.) Forty percent of the SPA board members represent local governments, while 37 percent represent state government. A trend in board composition, noted since ACIR's 1970 survey, is increasing representation of the general public; between 1970 and 1975 their membership increased from 17 to 24 percent of the total. (See Appendix IV-3.) Another trend is the continuing heavy representation of criminal justice functional interests. In 1970, 59 percent of the members were criminal justice officials, compared with 57 percent in 1975. (See Appendix IV-3.1.) The relative amount of representation of various criminal justice functions (police, courts, corrections and juvenile justice) has remained fairly constant since 1970, with the exception that law enforcement spokesmen are no longer the largest group of functional officials. Court, prosecution and defense representatives make up 21 percent of the membership, compared with 20 percent for police. The proportion of city and county representatives on SPA supervisory boards accounted for by chief executives or legislators is relatively small—24 percent—while criminal justice officials comprise 68 percent of the local membership. (See Appendix IV-3.2.) The impressions given by the above data were confirmed by the SPA directors, approximately 60 percent of whom indicated that no agency, jurisdiction or group was either overrepresented or underrepresented on the supervisory board.

The processes and procedures under which the SPA supervisory bodies operate vary considerably from state to state. In many instances, the supervisory boards operate under a strong committee structure with the major decisions being made at the committee level. When such a structure is used, the committees are usually established along functional or issue lines (e.g., law enforcement or victimless crimes). Some supervisory boards employ an executive committee, which can either make decisions for the full board when it is not in session or make general policy decisions at all times. The degree of formality in operation also varies; many boards utilize "Robert's Rules of Order" during their meetings. Thirty-seven SPA directors indicated that their boards operate under approved bylaws. The role of the chairman also varies depending on the functions of the board and its structure. In some states, the chairman is only a figurehead who conducts board meetings, while in others this person actively influences all board policies and procedures.

In most states, the governor appoints the chairman, although in six (Wisconsin, Delaware, New Mexico, North Carolina, Idaho and Texas) the governor serves as chairman himself.

LEAA requires that a full-time administrator be appointed to carry out the various state responsibilities associated with the Safe Streets Act. In almost every state the SPA director is named by the governor, sometimes with the consent of the legislature. In Kentucky, Missouri and South Dakota, the head of the umbrella agency in which the SPA is housed has the authority to appoint the director, while in Maine and Montana the supervisory board has the appointing authority.

The composition and functions of the SPA staff are determined by the state. LEAA requires that SPAs maintain a staff of adequate size (no fewer than five full-time professionals) and competencies "to determine annual planning priorities and to manage the development, implementation, monitoring and evaluation of the State's annual criminal justice improvements plan."[8] In order to prevent political abuse, LEAA also requires that the SPA staff be included in the state's merit system, with the exception of the director and certain other top-level staff members. According to the FY 1976 planning grant applications, the SPAs currently employ more than 2,000 people. As shown in Appendix IV-4 (p. 105), the number of SPA professional staff ranges widely from state to state. The average SPA professional staff size is 26, which represents nearly a 200 percent increase since 1969, when the national average was nine. Full-time professionals account for an average of 68 percent of the staff and full-time clerical personnel comprise 29 percent.

SPA staffs are usually organized along functional lines, with a section or division normally established for grant management functions and one for planning activities. The former typically consist of grant administrators and financial managers, while the latter are usually staffed with criminal justice functional specialists. Additional units are sometimes set up, independently of the planning or grant management sections, to handle auditing, evaluation, standards and goals, and public information. Several general trends in staffing have occurred in concert with changing emphasis by LEAA and SPAs. A comparison of the personnel information from the FY 1976 planning grant applications (which do not have a uniform classification system) with the results of ACIR's 1970 survey suggests that since 1969 the number of auditors and evaluators has substantially grown, as SPAs have created small but full-time monitoring, evaluation and auditing units. The number of functional planners and fiscal and grant administrators has steadily increased during the past seven years.

At the inception of the Safe Streets program, the greatest personnel problem facing the SPAs was finding and attracting competent staff members. According to ACIR's 1970 report, "In view of the relative infancy of criminal justice planning and administration as a profession and the desire of many State Planning Agencies to hire personnel with either a multifaceted law enforcement or criminal justice background or experience in public administration, budgeting and law rather than public safety, it was not surprising that qualified SPA personnel were difficult to find."[9] In 1975, it appears that this problem is not as pressing. The SPAs have achieved more than 94 percent of their total authorized staffing levels and more than half of the SPAs have a full staff complement. The visibility of the program, the increasing number of institutions of higher education that offer degrees in criminal justice planning and administration, and the efforts by both LEAA and the states to develop trained personnel have contributed to the meeting of SPA staffing needs.

The other major personnel problem facing the SPAs in 1970 concerned the high rate of turnover in the position of SPA director. Unfortunately, this problem has persisted. According to ACIR survey data, only six states still have their original director. Twenty SPAs have had two directors; at the other extreme, Florida has had 15 directors. Overall, the states have averaged three SPA directors each since 1969, with an average tenure of two years. From October 1974 to October 1975, 23 new SPA directors were appointed. This high rate of turnover can be attributed in most instances to normal occupational mobility and changes in state administrations. The instability generated by frequent changes in top leadership has created management and continuity problems reflected in the rapid policy shifts, high professional staff turnovers and grantee confusion. At the same time, most SPAs are better equipped to deal with this high rate of turnover today than they were in 1970 because of the establishment of formal procedures and processes for planning, policymaking, funding and administration.

Role in State Government

The debate in Congress in 1967 and 1968 over

which level of government should implement the Safe Streets Act was resolved in favor of the states, because it was believed that these units were best equipped to integrate and coordinate a fragmented criminal justice system. As an agency of state government, an SPA does not administer the program in a vacuum. The executive, legislative and judicial branches of state government all interact with the SPAs. However, the extent of this interaction varies considerably among the states.

The governor occupies a pivotal position in Safe Streets administration. Congress called for gubernatorial designation of SPAs in order to avoid duplication of effort within a state and to maximize coordination between levels of government, criminal justice functions and other government programs. In addition, governors appoint members of the supervisory board (and in six states chair this body), conduct budget reviews and, in some states, delineate regional planning units. On a day-to-day basis, however, most governors are not actively involved with their SPAs. Forty SPA directors surveyed, for example, indicated that the supervisory board's relationship with the governor could be characterized as independent or one of occasional communication and consultation. The handful of states reporting that their governor had been active in the program described this involvement as one of mainly settling disputes over local funding decisions or making recommendations concerning particular projects or programs seeking Safe Streets support.

Several factors are responsible for this low level of gubernatorial participation. In some states, the governor has delegated direct oversight of the program to a cabinet-level aide or department head. Although the governor is not directly involved in these instances, such a delegation of responsibility to a high administration official usually provides the type of policy direction and coordination envisioned by Congress. In other states, the stature of the supervisory board members facilitates the SPAs' policy-making role vis-a-vis other state agencies, and gubernatorial intervention is not required. It is no surprise that in many states the governor's attention is limited by the myriad of Federal programs requiring his attention, the small amount of funds provided under the Safe Sreets Act and the heavy demands placed upon the time of a state chief executive.

While the governor's direct participation in SPA affairs may be slight, he may rely on the SPA, both staff and board, to advise him and other state agencies on criminal justice matters. Forty-two SPAs indicated that they often or sometimes performed special analyses and studies at the request of the supervisory board, the governor or the heads of state agencies. At the same time, the SPAs have been largely unable to change their image as Federal planners and grant dispensers in connection with the operations of other state agencies. Thirty-three directors stated that their SPA had not become involved in planning and budgeting for the activities of state criminal justice agencies other than those supported by Safe Sreets funds. Fourteen SPAs, however, reported reviewing and commenting on the budgets of these agencies. It was judged that SPAs exercised the most influence with respect to other state agencies when evaluating and auditing their projects and when seeking state appropriations for matching purposes. While some exceptions do exist, most SPAs are influential only when Safe Streets funds are involved and do not relate closely to other executive branch agencies except as funding conduits or information resources.

In recent years, the state legislatures have become more aware of and involved in the Safe Streets program primarily for fiscal reasons. In the 1971 amendments to the act, Congress required that beginning with FY 1973, the matching contributions made by state and local governments had to be funds appropriated for this purpose rather than in-kind contributions. This change resulted in direct legislative oversight of SPAs—a new phenomenon in several states. The growing appreciation of the need to assume the costs of Safe Streets-initiated programs also has increased legislative interest in SPA activities.

As the state legislatures have become more aware of the SPAs and the Safe Streets program in general, and as the SPAs' capacity to contribute to policy decisions has improved, these agencies have become more involved in substantive criminal justice issues. Forty-six SPA directors indicated that their SPAs had advised the state legislature on pending criminal justice bills. Forty-one of these officials noted that their SPAs had drafted or proposed criminal justice legislation. Proposed legislation was generally in the area of criminal code revision, court unification, corrections, police standards and training, indigent defense and juvenile justice reform. According to the SPA directors surveyed, most of the legislation proposed by the SPAs has been enacted. SPAs appear to have had particular success in the area of police standards and training, com-

munity corrections and court reform. Legislative involvement appears to be an increasingly common aspect of the SPAs' function as change agents.

The SPAs' relationship with the judicial branch of state government is not as clear as that with the executive or legislative branches. The Congress did not prescribe a role for the judiciary in the Safe Streets program, although it is a major component of the criminal justice system. The state courts are normally represented on the SPA supervisory board and receive subgrants from the SPA. But how the relationship of the SPA and the state courts affects the state's criminal judiciary is dependent, in part, upon certain structural factors as well as the attitudes of the state judiciary toward participation in an executive-branch program. In states with a highly unified court system, for example, the state judiciary, usually through the judicial conference or the office of the court administrator, is actively involved in setting priorities for the state's criminal bench, represents the court in other criminal justice policy decisions and promotes the use of Safe Streets funds to improve the criminal courts. In states where the court system is not unified, state courts—usually appellate bodies, without superintendence of lower courts—are generally less active in the program.

The separation of powers doctrine, which is based upon a system of checks and balances, is often cited by judges as the major reason for limited court involvement in the Safe Streets program. Even though the courts are considered a component of the criminal justice system along with executive-branch agencies, state constitutions make them a separate but equal branch of government. Many judges think that this doctrine prevents them from participating in executive-branch policy-making functions, such as those performed by the SPAs. At the same time, they think that the SPA as an executive-branch agency has no right to determine policy that deals with the operation of the judiciary.

Politics has also deterred judicial involvement. It is believed that the need to compete with the police, corrections, juvenile delinquency and other interests seeking Safe Streets support compromises the independence and integrity of the judiciary. As the recent report by the Special Study Team on LEAA Support of the State Courts observed:

> Because criminal justice system needs far exceeded the size of the LEAA block grant awarded to each State, a built-in competition for funds developed. Applications were to be made to an interdisciplinary policy board of the SPA on which sat representatives of various agencies which sought special consideration for their discipline. The courts were nominally represented but found it demeaning to apply for court funds to an agency that was not always objective or professional and which, in some instances, viewed the availability of Federal funds as an opportunity to strengthen relationships for the governor.[10]

The problems of balancing the need for judicial participation in the Safe Streets program with the constraints imposed by the separation of powers doctrine are difficult to resolve. One approach taken in a number of states has been the creation of a judicial planning capacity at the state level. In California, for example, a Criminal Justice Planning Council was established in the Judicial Conference by the state legislature and is statutorily required to set judicial priorities and review judicial projects and programs requesting Safe Streets support. The vast majority over the years have been funded by the SPA.

REGIONAL PLANNING UNITS

The 1968 Safe Streets Act required that local governments participate in the comprehensive planning activities of the states. Further, the law recognized the need for an effective planning capability at the substate level by requiring that at least a specified percentage of planning funds be made available by the states to local governments or combinations thereof.

In its FY 1970 guidelines, LEAA encouraged local participation in Safe Streets planning on a regional, metropolitan or other "combined interest" basis. Further, the agency suggested that criminal justice planning responsibilities be assigned to existing multijurisdictional organizations. In lieu of this, SPAs were to create regional planning units (RPUs) to assist in the development of the annual comprehensive plan. Current guidelines define an RPU as ". . . any body so designated, which incorporates two or more units of general local government to administer planning funds and undertake law enforcement and criminal justice planning activities under the Act for a number of geograph-

ically proximate countries and/or municipalities."[11]

By 1970 almost every SPA had established a network of criminal justice planning regions. Forty-five states had a total of 452 RPUs. In 30 of these states, criminal justice planning had been added to the functions of existing multijurisdictional bodies.[12]

In the last five years there has been little change in the total number of regions. According to the FY 1976 state planning grant applications, there are now 445 regions in 43 states. Twelve states (and territories) do not have regions. (See Appendix IV-5, p. 106.) Although the total has not changed substantially, 15 states have increased the number of their regions, while in 16 this figure has been reduced. Changes in the geographic boundaries of several RPUs have been made, usually to accommodate common interests of contingent areas, resolve conflicts between urban and rural cities and counties, achieve population or geographical balance, or improve coordination by housing related planning activities under one roof. In at least one state, Ohio, the change in the regional structure was drastic. In order to more effectively concentrate planning and action funds in high-crime urban areas, in 1971 the state stopped using its 15 substate councils of government and created six RPUs, each consisting of one central city and its surrounding county.

According to ACIR's 1975 survey results, 48 percent of the 340 RPUs replying were set up by executive order, with the remainder established under state law. Fifty-seven percent of the regions were created specifically for criminal justice planning purposes, although several have subsequently assumed additional planning responsibilities in related fields.

The data also indicate that for the most part local governments have participated in establishing or reconstituting the regional planning units, as LEAA guidelines have stressed that RPUs must ". . . enjoy a base of local unit acceptability and representation."[13] More than 90 percent of the regional planning officials and 85 percent of the SPA directors replying said that city and county governments had been involved in this process primarily through adopting interlocal agreements and appointing supervisory board members.

Regional planning units perform a wide range of functions related to the Safe Streets program. Forty-two of the 43 states having regions participating in ACIR's 1970 survey reported that RPUs planned for their member jurisdictions and in 37 they coordinated local planning efforts. In 32 states, the RPUs reviewed local applications for action grants prior to their submission to the SPA, and 22 did so on referral. Sixteen SPAs indicated that RPUs expended action funds as the ultimate grantee, but in only four did regional units make action grants to localities. In 11 states, RPUs made planning subgrants to localities. Thus, even as early as 1970, RPUs had already established themselves as major agents in the Safe Streets program.

As Table IV-6 illustrates, the functions performed by RPUs have not changed greatly over the past five years in the view of the 1975 regional and SPA sur-

Table IV-6

Functions Performed by Regional Planning Units

October 1975

Regional Planning Unit Functions	SPA Response				RPU Response	
	1970*		1975			
	No.	%	No.	%	No.	%
Perform criminal justice planning for their area of jurisdiction	42	98	39	93	327	94
Coordinate local criminal justice planning effort	37	86	40	95	296	85
Make planning subgrants to local governments	11	26	6	15	100	29
Review local applications before submission to the SPA	32	75	39	93	326	93
Review local applications after referral by the SPA	22	51	10	25	132	38
Make action subgrants to units of local government	4	9	6	15	97	28
Expend action funds as ultimate grantee	16	37	13	32	110	32

*Source: Advisory Commission on Intergovernmental Relations, *Making the Safe Streets Act Work: An Intergovernmental Challenge* (Washington, D. C.: Government Printing Office, 1970), p. 35.

vey participants. Almost all perform or coordinate planning activities, and review grant applications. There has been a slight increase in the number of states in which regions award action subgrants to units of local government and a substantial decrease in those that expend action funds as the ultimate grantee and award planning subgrants.

Supervisory Boards

Regional planning units are required by LEAA to " . . . operate under the supervision and general oversight of a supervisory board."[14] The provisions governing the composition of these boards have evolved from providing only law enforcement representation to including local government, criminal justice agencies and general public representation.

According to the questionnaire data, the average number of members on an RPU board is 27, with an average tenure of four years. In most RPUs (52 percent), board members are named by the local governments comprising the region. In only a few regions (10 percent) are the members chosen by the governor, while about two-fifths of the RPUs cited other methods of selection.

Attendance at board meetings is fairly high, with 69 percent of the members usually present. Although 85 percent of the RPUs allow members to designate alternates and in half these regions the alternates have full voting privileges, less than one-third said that local elected officials often sent criminal justice agency officials in their place.

About half of the RPUs have advisory councils or subcommittees that address specific problems in particular functional areas, such as police, courts and corrections. Advisory councils often exist where the RPU is a council of governments (COG). In this instance, the advisory council makes recommendations on criminal justice matters to the governing body of the COG. In determining representational balance, LEAA considers the membership of both the advisory council (predominantly criminal justice officials) and the COG governing body (predominantly local elected officials).

In the view of the regional respondents, the police have a greater (27.2 percent) number of spokesmen on the RPU supervisory boards than any other criminal justice functional component, a finding consistent with predominant local responsibility for law enforcement. Although most regional and local officials surveyed contended that no group (including the police) was overrepresented, more of the local officials responding thought the police exercised greater influence in board decisions than any other jurisdictional or functional representative.

For the most part, RPU officials reported that corrections, courts, and prosecution and defense interests were the least adequately reflected on the regional boards. On the other hand, local officials indicated that public members were both the least represented and least influential.

In response to criticism from city and county public interest groups, the Safe Streets Act was amended in 1973 to require that RPU boards consist of a majority of local elected officials. However, in implementing this provision LEAA defined "local elected officials" as including not only executive and legislative officials of general purpose local government, but also elected sheriffs, district attorneys and judges.

In the views of regional and local survey respondents, the effects of this amendment have been mixed (see Table IV-7). About one-third of both the RPU and local officials thought there had been no effect as a result of the requirement at all.

Fifteen SPA directors also indicated that this amendment has produced no appreciable impact. The directors who cited positive results mentioned the following: local elected officials have become more aware of criminal justice problems and needs; the SPA's sensitivity to local problems has increased; and the local base of the program has been broadened. On the negative side: local politicalization of the criminal justice planning process had occurred; the tendency toward "pork barreling" had accelerated; and getting local elected officials to serve on RPU boards had become more difficult.

Generally, RPU boards play an active role in Safe Streets planning and funding decisions, with only limited authority delegated to staff. As Table IV-8 and Table IV-9 show, 35 percent of the boards review and approve specific activities in the annual regional plan. On the other hand, 65 percent approved or disapproved all grant applications after discussing each of them. As in the case of the state planning agencies, it may well be that most RPU board members perceive more direct and tangible rewards in approving applications than in approving activities outlined in the regional plan. However, this varies according to the degree to which the plan represents funding commitments.

LEAA guidelines require SPAs to provide reasonable assurances that RPUs are adequately staffed to carry out their diverse functions. Like their state-

Table IV-7

Effects of 1973 Amendment Requiring a Majority of Local Elected Officials on RPU Boards*

October 1975

	RPU		Local	
	No.	%	No.	%
Increased influence of chief executive and legislative officials in RPU decision-making	128	37	345	31
Reduced influence of criminal justice functional representatives in RPU decision-making	62	18	239	22
More realistice programming in terms of local budget considerations	125	36	424	38
No effect	121	35	327	30
Other	70	20	118	11

*Multiple responses were received from some jurisdictions.

Table IV-8

Views of RPU Officials Regarding the Extent to Which the RPU Board has an Active and Influential Role in Reviewing Activities in the Annual Plan

October 1975

	Number	Percent
Sets broad policies and priorities only	23	8.8
Reviews and approves general activities	48	18.3
Reviews and approves general activities	92	35.1
Accepts staff recommendations with review	62	23.7
Accepts staff recommendations without review	6	2.3
Other	31	11.8
TOTAL	262	100.0

Table IV-9

Views of RPU Officials Regarding the Extent to Which the RPU Board has an Active and Influential Role in Reviewing Applications for Funding

October 1975

	Number	Percent
All approval and disapproval authority delegated to RPU staff	14	4.3
Supervisory board approves or disapproves all applications above a certain dollar amount	4	1.2
Supervisory board approves or disapproves all applications, normally without individual discussion except for a problem or controversial case	44	13.5
Supervisory board approves or disapproves all applications, normally after discussing each of them	214	65.4
Other	51	15.6
TOTAL	327	100.0

level counterparts, many RPUs have had difficulty obtaining a sufficient number of qualified personnel. Nevertheless, the data indicate that RPU staff capabilities have increased since 1970, when seven of the states responding to ACIR's survey did not have full-time professional planners. Five years later, a review of the FY 1976 state planning grant applications showed that by mid-1975 all states with regional planning units had one or more full-time staff at the regional level. (See Appendix IV-6, p. 108.) The number of employees ranged from a high of 133 professionals in California to one in Rhode Island. Overall, there were 948 full-time professional positions, supplemented by 169 part-time personnel.

Nevertheless, these data should not be interpreted as meaning that every region has full-time professional help; clearly, some do not. Moreover, a number of regions have only one staff person who must perform the myriad duties of planning, application processing and providing technical assistance. For example, Virginia has 22 RPUs yet only 26 full-time regional professional staff members.

In contrast to the SPAs, there has been little turnover in key RPU staff. Only nine percent of the regional respondents said there had been a high turnover of executive directors, while 20 percent thought there had been a high turnover of criminal justice planners.

For the most part, regional staff members are hired independently by the RPU board. Nevertheless, some critics have maintained that the RPUs are primarily instruments of SPAs, rather than instruments of local governments. Therefore, it is noteworthy that the 1975 survey results show that the majority of local officials (60 percent of the city and 71 percent of the county respondents) believed that RPU staff were local, as opposed to state, employees.

Funding

The Safe Streets Act requires that SPAs make available to local governments or combinations thereof at least 40 percent of the available planning funds (Part B). The purpose of this provision is "to insure local participation in formulating, revising and updating the Comprehensive State Plans."[15] However, LEAA may waive this pass-through requirement, in whole or in part, if it finds that it is inappropriate in view of respective state/local law enforcement planning responsibilities and would not contribute to the efficient development of a state plan. Planning grants to the regions do not require non-Federal match.

Appendix IV-7 (p. 110) lists the amount and percent of Part B funds made available by each state to the local level in FY 1976. Eighteen states (two more than in 1969) passed through more than the required 40 percent and two (Minnesota and Missouri) allocated one-half of their planning funds to regions and localities. Twelve states have been granted pass-through waivers by LEAA. The planning grant figures show that Maryland, for example, distributes only 37 percent of its Part B monies to the substate level, but it should be remembered that these amounts represent allocations for 15 months due to the change in the Federal fiscal year, to which some discrepancies may be ascribed.

Table IV-10

Adequacy of Part B Funds

October 1975

	Excessive		Adequate		Inadequate	
	No.	%	No.	%	No.	%
In the View of Regional Officials:						
SPA Part B Funds	103	32	157	50	57	18
RPU Part B Funds	4	1	93	28	240	71
In the View of SPA Directors:						
SPA Part B Funds	0	0	15	30	35	70
RPU Part B Funds	1	2	15	36	26	62

SPA and RPU respondents generally agreed that the amount of Part B funds was inadequate at the regional level (see Table IV-10). According to the SPA directors, RPU functions that were hampered as a result of this inadequacy were planning, technical assistance, monitoring and project development.

Almost all regional officials (82 percent) thought that the SPA had adequate or even excessive planning resources, while only 30 percent of the SPA directors thought that their agency had sufficient Part B support. A majority of regional officials (71 percent) viewed the present 60-40 pass-through formula as an inappropriate way to divide planning funds and indicated that the state should be limited to 40 to 50 percent, with the remainder allocated to the regions. Although most of the SPA directors favored the current formula, 15 recommended that a greater portion be retained at the state level.

LOCAL PLANNING

In the initial years of the program, a number of the larger and more urban cities and counties objected to the regional approach adopted by the SPAs, claiming that their pressing crime problems were being subordinated to the less urgent needs of rural communities and suburbs. In addition, many jurisdictions were experiencing difficulty in obtaining planning monies. Since most of the 40 percent pass-through of "local planning funds" was being allocated to the newly formed regional planning units, 17 of the 30 largest cities did not receive any Part B support at all in FY 1970.[16]

In response to these criticisms, Congress amended the act in 1971 to require SPAs to "assure that major cities and counties . . . receive planning funds to develop comprehensive plans and coordinate functions at the local level."[17] These amendments also authorized the use of Part C action funds to support criminal justice coordinating councils (CJCCs) in localities (or combinations thereof) having a population of 250,000 or more.

As a result of these provisions, there was a dramatic growth in the number of local governments seeking to establish their own criminal justice planning capacity. In many cases, this effort took the form of assigning a planner to the local police department (or some other agency of local government) who had primary responsibility for Safe Streets efforts (see Table IV-11). Most of these offices (53 percent of the cities and 56 percent of the counties) were set up specifically for the Safe Streets program. As of mid-1975, city criminal justice planning offices had an average of four professional staffers, with a range of from one to 70. Counties usually had three professional employees, with a range of from one to 60. However, the majority had only two or fewer personnel. Most of these offices are heavily involved in proposal writing, planning, fiscal monitoring, project evaluation, guidelines review and other Safe Streets-related functions. Some also participate in a variety of non-LEAA related tasks, such as review of criminal justice agency budgets, legislative analysis and policy development.[18]

Criminal justice coordinating councils are found mainly in the larger cities and counties. Spurred by the 1971 amendments providing for the use of Part C funds to establish CJCCs in localities of 250,000 or more population, by the end of that year they existed in 33 of 50 of the nation's largest cities.[19]

CJCCs are established by local governments for the purpose of planning for and coordinating criminal justice programs. Usually chaired by local chief executives, the councils consist of members broadly representative of local government, the general public and the criminal justice community. The first CJCC was established in 1967 by the mayor of New York City, based in part on the recommendation of the President's Crime Commission that: "In every State and every city, an agency, or one or more officials, should be specifically responsible for planning improvements in crime prevention and control and encouraging their implementation."[20] In defining a criminal justice coordinating council, the LEAA General Counsel has referenced the "Report of the National Commission on the Causes and Prevention of Violence" which, in recommending the creation of criminal justice offices in the nation's major metropolitan areas, characterized the functions of those offices as including budgeting, coordination, systems analysis and evaluation, the development of performance standards, and the initiation of information systems.[21]

According to ACIR's 1975 survey data, 107 cities and 52 counties are served by coordinating councils. Moreover, a recent study by the National League of Cities and United States Conference of Mayors indicates that CJCCs exist in 29 of 49 cities responding to a questionnaire sent to the nation's 55 largest municipalities. Nineteen of these CJCCs were affiliated with both city and county governments. Ten were city-wide, most often single-city

Table IV-11

Assignment of Local Planning Responsibility for Safe Streets Funds*

October 1975

	Cities		Counties	
	No.	%	No.	%
Number reporting	790		440	
Mayor's office	64	8	8	2
County chief executive's office	3	0	73	17
District attorney's office	2	0	10	2
City manager's office	119	15	11	2
County manager's office	4	1	29	7
Department of public safety	33	4	4	1
Department of human resources	0	0	3	1
Police department	341	43	12	3
County sheriff's office	10	1	93	21
Citywide criminal justice coordinating council	10	1	4	1
City-county criminal justice coordinating council	97	12	48	11
Regional planning commission	211	27	163	37
Council of governments	72	9	35	8
Regional office of SPA	158	20	78	18
Other	76	10	62	14

*Multiple responses were received from some jurisdictions.

counties with a consolidated metropolitan government.[22]

The functions of CJCCs frequently overlap with those performed by regional planning units, although the LEAA General Counsel has attempted to distinguish between the Safe Streets planning activities of an RPU (which receive Part B support) and the coordinating role of a CJCC (funded by Part C). Further, RPUs and CJCCs are differentiated by the fact that the former exist by authority of the governor or state legislature, and the latter are creations of local government.[23]

Nonetheless, in some instances criminal justice coordinating councils also serve as designated regional planning units for the purpose of the Safe Streets program; for example, Cleveland-Cuyahoga County, Detroit-Wayne County and San Francisco. In others, the CJCC serves a city or city-county combination which is part of a broader multijurisdictional RPU, for example, Minneapolis-Hennepin County and the City of St. Louis.

Once again in response to complaints by big city mayors and county officials, the Safe Streets Act was amended in 1973 to require SPAs to establish procedures whereby cities and counties (or combinations thereof) of 250,000 or more persons could submit plans to their SPAs for funding in whole or in part. The purpose of this provision (the so-called Kennedy amendment) was to allow localities, and in particular the major urban jurisdictions, to participate more fully in the Safe Streets program and to reduce the budgetary uncertainty and delay in the funding of local projects. Twenty-four SPAs responded affirmatively to a question in the ACIR survey concerning whether they had established procedures pursuant to this requirement of the 1973 Act by the Fall of 1975. The impact of these procedures on planning varies greatly among the states. At one extreme, in Minnesota the two local coordinating councils (Minneapolis-Hennepin County and St. Paul-Ramsey County) are requested to prepare comprehensive plans for their areas. These plans are then submitted to the appropriate regional planning unit and integrated into a regional plan. This document is reviewed by the SPA for use in preparing the state plan. However, once the state plan is ap-

proved, the CJCCs, like other applicants, must submit individual proposals to the SPA for approval. At the other extreme, in Ohio, the major city/county RPUs submit plans which, when approved by the SPA, trigger the award of a "mini block grant" to the RPU to implement the activities described in its plan. Falling somewhere between these two alternatives is the approach adopted by the Virginia SPA. In an effort to implement the Kennedy amendment without undermining its existing regional planning structure, the SPA developed procedures allowing the two eligible localities to prepare fiscal year plans in conjunction with their local budget processes. Once approved by their governing bodies, these plans are reviewed by the appropriate regional planning unit and are submitted to the SPA, along with the comments of the region, for approval. After the local plans are approved by the SPA, the localities submit applications to the SPA directly (rather than through the RPU). However, these applications do not follow the usual procedure of going to the SPA's supervisory board for approval, since approval of the plan has in essence represented a funding commitment by the SPA. The subsequent application is processed for administrative and accounting purposes only, and consequently the time involved is greatly shortened.

In general, the lack of effect on the funding process in most states has significantly undercut the intent of the Kennedy amendment. Not surprisingly, the National League of Cities-U.S. Conference of Mayors survey revealed that few of the large cities were satisfied with the way the requirement had been implemented. Seventy-one percent of the respondents said that the amendment had resulted in "no change;" 16 percent, that it had improved the situation "somewhat;" and eight percent, that it had contributed "very much."[24]

Funding

The 1971 Safe Streets Act amendments required SPAs to insure that all major cities and counties received planning funds. LEAA guidelines subsequently defined eligible localities as including: (1) the largest city and county in each state; (2) each city with a population of 250,000 or more; and (3) each county with a population in excess of 500,000.

Localities, of course, are not required to accept direct planning monies and many waive their rights to such funds in writing. A review of the FY 1976 state planning grant applications shows that at least 65 localities have signed waivers for Part B funds. However, in these instances local planning is being carried out by a CJCC receiving Part C support, by a multijurisdictional RPU receiving Part B money or by a single city-county RPU (often functioning as a CJCC as well) operating with Part B funds. Conversely, at least 29 counties, 28 cities and nine city/county combinations that are eligible have not signed waiver agreements.

ACIR survey data indicate that most city and county officials believe that the amount of Part B funds for local planning is insufficient. One percent of the respondents answered "excessive;" 44 percent said "sufficient;" and 54 percent replied "inadequate." Similarly, two-thirds of the RPU and SPA respondents thought that local planning monies were inadequate.

Part C funds are also a source of support for local planning efforts. As mentioned earlier, action dollars may be used to establish coordinating councils in localities (or combinations thereof) of 250,000 or more persons. Based on the FY 1976 state planning grant applications, it appears that about 32 local CJCCs receive Part C funds. Because of limited Part B monies and the increase in planning and administrative tasks, several SPAs have awarded action grants to single county-city bodies (either CJCCs or RPUs) to support activities related to Safe Streets planning. However, in May 1975 the LEAA General Counsel issued an opinion stating that Part C funds may not be used to supplant Part B planning activities of RPUs. Further, Part B funds must be awarded to CJCCs to support those activities necessitated by the comprehensive planning process authorized by the Safe Streets Act. In other words, those functions of a CJCC directly related to Safe Streets (i.e., grant management, local priority setting and grants review) must be supported by Part B monies and not Part C.[25] The probable effect of this ruling will be to reduce even further the amount of planning funds available to RPUs and other local planning efforts.

THE FEDERAL CONNECTION

A key element of the block grant concept is the delicate relationship between the Federal government and the grant recipient—in the case of the Safe Streets program, between LEAA and the states. Block grants present a challenge to the Federal administrative agency. On the one hand, it is responsible for insuring that congressional purposes are

achieved; on the other, it must allow recipients maximum discretion in the use of funds.

Regional Offices

As discussed in Chapter III, LEAA began implementation of the Safe Streets Act by establishing guidelines for the states to follow in setting up their planning agencies and formulating comprehensive plans. Through preparation of planning grant applications and annual plans in conformance with the guidelines, states would provide the information LEAA needed to assure compliance with the act. In the early years of the program, LEAA maintained guideline development and planning grant application review and approval functions in its Washington headquarters. In May 1971, LEAA decentralized the review and approval functions to 10 regional offices as part of an effort to better monitor and assist the states' efforts. Currently, the regional offices perform the primary role in LEAA's liaison activities with SPAs, while guideline development, auditing, legal opinions and overall policy direction are still handled by LEAA headquarters.

Each LEAA regional office has two major subdivisions, operations and technical assistance. The operations section consists of the state representatives, who are assigned to each state in the region, and financial staff, who are not assigned to particular states. The state representative is responsible for all communications between LEAA and his or her assigned state and coordinates the review of the annual comprehensive plan. The technical assistance function is performed by specialists in each of the criminal justice functional areas of law enforcement, adjudication, corrections and juvenile justice, as well as by specialists in broader areas such as manpower and information systems. The regional administrator who heads each regional office maintains authority over all planning grant applications and annual comprehensive plans submitted by SPAs. The regional administrator also represents LEAA on a Federal regional council to facilitate coordination between Safe Streets and other Federal programs operating within the region.

A major function of the regional office is the review and approval of the state comprehensive plans. In recent years, the communications about the plan between the SPAs and their respective regional offices have begun with the issuance of the planning guidelines. These communications usually involve LEAA efforts to further clarify any new or modified requirements and SPA explanations of the procedures they expect to follow in preparing plans. State representatives continue this dialogue with their SPAs so that they are fully aware of the stages of plan development and can provide guidance to their states as to the acceptability of SPA responses to LEAA requirements.

Once the comprehensive plan is submitted to the regional office, appropriate sections are reviewed by the technical specialists and the financial analysts. Deficiencies are noted and discussed with the regional office and are often remanded to the states prior to final action, to permit early resolution. Early in the program's history, the desire that funds continue flowing into the field caused LEAA to approve most state plans (and, therefore, to award the Part C block grant) despite major deficiencies. In fact, only a handful of state plans have ever been totally disapproved. Usually LEAA places "special conditions" on the block grant award in order to remedy deficiencies or ensure compliance with any requirements issued after issuance of the planning guidelines. Special conditions usually stipulate remedial action by the grantee within a specified period of time. Acceptance of the award means that the grantee agrees to correct the deficiencies noted on the special conditions. Responses from 32 of the SPAs surveyed indicated that their LEAA regional office had often placed special conditions on final approval of the state plan, while none indicated that LEAA had never taken this action.

A regional office can also delay approval of the state plan to permit SPA resolution of deficiencies prior to final action. Only three SPAs, however, reported that delays in plan approval had occurred often, while 16 asserted this had never occurred. According to the respondents, the length of time LEAA takes to review and approve plans has steadily declined: in 1970, the average was 10.8 weeks; by 1974, it had been reduced to 9.5 weeks. This decrease may not appear to be significant, but it should be kept in mind that over this period the guideline requirements to be enforced by the regional offices increased substantially, and these offices also assumed primary roles in administering LEAA's comprehensive data system and law enforcement education programs.

In addition to its plan approval, information and interpretation functions, a regional office is also responsible for applying and enforcing guidelines, providing technical assistance, and in some cases distributing discretionary funds. Table IV-12 lists

Table IV-12

SPA Directors' Assessment of Degree to which Regional Office Activities are Useful to the SPAs

October 1975

Activities	Essential		Useful		Unnecessary	
	No.	%	No.	%	No.	%
Interpreting Federal guidelines	18	36.0	32	64.0	0	—
Reviewing annual plans	23	46.0	22	44.0	5	10.0
Applying and enforcing requirements	10	20.4	30	61.2	9	18.4
Providing technical assistance	16	32.0	33	66.0	1	2.0
Communications with Federal authorities	8	16.3	33	67.4	8	16.3
Distributing discretionary funds	21	42.0	25	50.0	4	8.0
Responding to SPA requests	22	44.9	27	55.1	0	—
Applying and enforcing special conditions on state plans	12	25.5	29	61.7	6	12.8
Encouraging national priorities in state plans	5	10.2	17	34.7	27	55.1

70 some of the activities regional offices perform and shows the SPA directors' assessment of their usefulness. More than 50 percent of the respondents found the encouragement of national priorities in state plans to be an unnecessary regional office activity, while all found interpreting Federal guidelines and responding to SPA requests to be useful or essential regional office functions. The negative attitude of the SPA directors toward regional offices' encouragement of national priorities in state plans probably stems from their belief that this interferes with state decision-making and priority-setting. Reviewing annual plans, responding to SPA requests and distributing discretionary funds were deemed to be essential regional office activities by more than 40 percent of the respondents. In general, the rating of regional office activities appears to show that SPAs favor activities that are of direct assistance in accomplishing their mission rather than ensuring compliance with congressional mandates.

Technical assistance is the only activity where the size of the state appears to affect the attitude of the SPA: states with populations in excess of five million usually rated LEAA technical assistance as only useful rather than essential, while most states with populations less than two million felt that activity to be essential.

Mixed views over the advocate-adversary function of the regional office were also reflected in the SPA directors' attitudes toward state representatives. Organizationally, the state representative is the major means of communication and the administrative link between LEAA and the SPAs. Some SPAs stated that their state representative not only identified and obtained LEAA resources for their state but also acted as an advocate for them in regional office decision-making. Other SPAs did not find their state representative to be a facilitator or liaison with LEAA but rather to be an adversary. As one SPA official commented: "It appears that the State Representative role has been gradually compressed to purely administrative functions, mediating between a continual flow of paper from the SPA and an increasing range of LEAA guidelines." Most SPAs strongly supported the advocacy role of the state representative, indicating that this person should be someone who understands the state's particular needs, programs and priorities so that he or she can relate LEAA's resources and requirements to them and be "free to vigorously support the position of the SPA to ensure that the process is truly a partnership." Altogether, the SPAs' attitudes about the role the state representative should play are consistent with their attitudes toward the regional offices: the Federal role at its primary level of contact should be one of assisting the states to accomplish their mission, not one of impeding their actions.

LEAA Guidelines

As previously discussed, LEAA has developed, issued and enforced guidelines to implement the Safe Streets Act as well as other Federal statutes or regulations. Currently, LEAA guidelines cover: Part B grants, Part C block and discretionary grants, Part E formula and discretionary grants, the Law En-

forcement Education Program, financial aspects of all programs, systems programs including Comprehensive Data Systems and grants under the Juvenile Justice and Delinquency Prevention Act of 1974. Basically, these guidelines specify requirements for applying for and administering the variety of funds available through the Safe Streets and Juvenile Justice programs. This section concentrates on the LEAA guidelines that directly affect Safe Streets planning—the Part B, C and E guidelines.

The guidelines concerning the application for and administration of Part B planning grants primarily require that the SPA describe itself; its regions; its operations, including plan development, evaluation, technical assistance and auditing; and its procedures for complying with several related acts of Congress. Until FY 1972, many of the requirements contained in the planning grant guidelines were part of the administrative component of the comprehensive plan guidelines. Previous guidelines were fairly short and resulted in a planning grant application that consisted primarily of necessary forms and budget justifications.

The Part C and E guidelines form the basis for the development of the annual comprehensive plan and consist of detailed discussions of and specific requirements for each of the congressionally mandated sections of the plan. These sections include: (1) a description of existing law enforcement and criminal justice systems and resources; (2) an analysis of law enforcement and criminal justice needs, problems and priorities; (3) a description of the state's law enforcement and criminal justice standards and goals; (4) a multi-year projection of state improvement; (5) a review of related law enforcement plans, programs and systems; (6) a description of the annual action programs; (7) a past progress report that is primarily an evaluation of previously funded projects; and (8) a statement of compliance with statutory requirements. The comprehensive plan guidelines do not require separate annual Part C and Part E plans but do require that the special Part E assurances required by law be met in a number of places throughout the annual plan.

Many of the strongest complaints about the Safe Streets program by SPA directors, and in some instances other state, regional and local officials, center on the guidelines, which are considered restrictive, incomplete, repetitive and overly detailed. A concern voiced frequently by SPAs is that the reporting procedures and the amount of paperwork overload the staff, and that simplification of the guidelines and requirements is a major need. As one SPA Director stated in his response to ACIR's survey:

> Even with increased amounts of Part B administrative funds most SPAs are caught in a never ending cycle of devoting the vast majority of their time to assuring compliance with the LEAA guidelines and the bureaucratic shuffle connected with grants administration. This leaves precious little time for the SPA staff to provide the criminal justice system with the technical assistance and coordination assistance so desperately needed.

The SPAs' concern about the size and complexity of the guidelines in relation to the amount of planning and action dollars available cannot be underestimated. As discussed in several of the case studies contained in this report, some states believe that the proliferation of guidelines, requirements and "red tape" has reduced the benefits of the program to the point where they are considering terminating participation. In their view, the time demands imposed by compliance with guideline requirements makes it difficult, if not impossible, to develop comprehensive plans responsive to state and local needs.

While the reasonableness or effectiveness of the substance of the guidelines is beyond the scope of this report, the history of their use and their relative growth highlight this guideline controversy. LEAA began its administration of the Safe Streets program by issuing guidelines for planning and action grants in November 1968. Due to the infancy of the SPAs and the short time allotted for preparation of their first comprehensive plan, the states found that they could not comply with the initial set of guidelines. Therefore, several sections were waived for the FY 1969 plans, and, although all requirements were reinstituted for the FY 1970 planning period, LEAA's emphasis was on getting the program started and keeping the funds flowing into the field. This led to a lesser priority being accorded to enforcement of LEAA guidelines. At the same time, the states found that compliance was not too difficult because of the relatively small number of requirements. Despite shifts in the responsibility for developing guidelines within LEAA, most changes in the first few years were restricted to reorganization of the guidelines

and refinement of particular requirements. The first major revisions were made in FY 1971 in response to the 1971 amendments to the act, particularly provisions to implement the new Part E program. Two other developments at this time that turned LEAA's attention to guideline compliance were the decentralization of planning grant and plan approval to the regional offices, and the concerns about inadequate financial accountability raised by the Monaghan committee hearings (see Chapter II).

As the importance of the guidelines in LEAA's administration of the Act grew and as amendments to the Safe Streets Act increased the complexity of the program, LEAA recognized the need to standardize and formalize their guidelines. Therefore, for FY 1973, the first of a series of standardized guidelines was issued (series M4100), which also set forth a formal format highlighting specific requirements. Since then, the major statutory impact on the guidelines has come from the Crime Control Act of 1973 and the Juvenile Justice and Delinquency Prevention Act of 1974. As discussed in Chapter III, the current emphasis in LEAA is on technical compliance with guidelines, which when coupled with the issuance of expanded and changed guidelines for FY 1976, has raised the SPAs' frustration level.

While not an accurate measure of the growth in workload, the increase in the number of pages in the guidelines document does provide an approximation of the overall rise in the number of requirements. As shown in Table IV-13, the total length of the guidelines and of the instructions for the completion of the planning grant application and the annual comprehensive plan have, for the most part, been expanding since FY 1971. Since standardization began in FY 1973, both the planning grant and plan sections of the guidelines have more than doubled. Of particular note, most of the major increases in length have occurred when the guidelines have reflected statutory changes and additions; in FY 1971, for the 1971 Part E and other amendments; in FY 1974, for the Crime Control Act of 1973; and in FY 1976, for the Juvenile Justice and Delinquency Prevention Act of 1974.

In addition to complaints about the guidelines in general and about specific statutory requirements, SPA directors also indicated frustration with the untimely issuance of new guidelines and the frequent revision of existing ones. As indicated in Table IV-14, the time between final issuance of the planning guidelines and the date of plan submission has been relatively short considering that the plan is to

Table IV-13

Number of Pages in State Planning Agency Guidelines FY 1969-1976

Fiscal Year	Total	Appendices	Planning Grant	Plan	Forms, Etc.
1969	164	95	17	29	25
1970	113	38	20	41	38
1971*	46	—	—	46	28
1972*	50	—	—	50	18
1973**					
a)	94	46	37	—	27
b)	58	15	—	43	23
Total	152	61	37	43	50
1974	175	78	86	67	48
1975	182	86	86	73	55
1976	254	134	96	100	59

Total = Number of pages of entire document, including any appendices.
Appendices = Number of pages specified as an appendix by LEAA.
Planning Grant = Number of pages devoted to the development and submission of the planning grant application, including appendices.
Plan = Number of pages devoted to the development and submission of the annual comprehensive plan, including appendices.
Form, Etc. = Number of pages involved with forms, instructions for form completion, Part B and C allocations, etc.; not mutually exclusive from the other categories.

*In FY 1971 and FY 1972, no new sets of guidelines were issued, although SPA Directors' Memorandum No. 10 (planning guidelines) was updated. The numbers represent the update of this memorandum.

**The FY 1973 guidelines were issued in two volumes: M4100.1, which concerned planning grants; and M4300.1, which concerned the comprehensive plan.

Table IV-14

Relationship Between the Issuance of Planning Guidelines and Plan Due Dates FY 1969-1976

Fiscal Year	Planning Guidelines Issued	Plan Due Date	Time Between
1969*	November 1968	June 1969	7 months
1970	January 1970	April 15, 1970	3.5 months
1971	September 15, 1970	December 31, 1970	3.5 months
1972	November 23, 1971	Negotiated on May 15, 1972, but no more than 11 months after approval.	5.5 months**
1973	September 11, 1972	Negotiated on May 15, 1973, but no more than 11 months after approval.	8 months**
1974	December 10, 1973	Negotiated on May 15, 1974, but no more than 11 months after approval.	5 months**
1975	July 1, 1974	Negotiated on May 15, 1975, but no more than 11 months after approval.	10.5 months**
1976	March 21, 1975	September 30, 1975	6 months

*The requirements of FY 1969 guidelines were lessened through Memorandum to State Planning Agency Directors, No. 10, issued February 28, 1969, which also encouraged SPAs to submit their plans in early April 1969 rather than in early June 1969.

**Calculated from the May 15 deadline.

Source: State Planning Agency Grant Guides, Guideline Manuals M4100.1—M4100.1D.

be produced on an annual basis and is to be comprehensive. The concerns of many SPAs about integrating major changes into their planning processes or obtaining additional information are highlighted by this table; in recent years the time allotted from issuance to plan submission has been the shortest when new statutory requirements were to be implemented. In addition, for many states, the deadline for plans was much earlier than the May 15 submission date used to calculate the time period for FY 1973-1975. These SPAs had only a few months to incorporate major changes. Kentucky, for example, submitted three comprehensive plans to LEAA within a 15-month period.

Despite the appearance of unreasonable time frames, the states have been informed of changes in or expansions of the guidelines since the inception of the program. Under the provisions of the Administrative Procedures Act and the Intergovernmental Cooperation Act of 1968, LEAA must involve the major state and local government associations and any other groups directly affected in the promulgation of the guidelines. In the early years of the program, LEAA sought and received SPA input into guideline formulation through workshops set up for training SPA directors. As the need for a stronger role in guideline formulation became apparent, the states joined together to form the National Conference of State Criminal Justice Planning Administrators (NCSCJPA). Since its inception in 1972, the NCSCJPA has actively reviewed and commented on proposed guidelines through a permanent standing committee. All SPAs receive copies of proposed guidelines and are asked to provide comments to the NCSCJPA, which in turn submits them to LEAA. Despite this formal procedure, LEAA is only required to give interest groups and other interested citizens 30 days to review and comment on the guidelines. Many SPA directors complain that with their busy schedules, this does not allow them enough time to adequately enter into the guidelines development process. LEAA need only inform the associations or other complainants who may have suggested changes in the guidelines that such changes have not been incorporated into the final issuance. According to the LEAA Office of General Counsel, no one has ever legally challenged a guideline after final issuance.

Besides the timing of issuances, SPA directors complain about the frequency with which LEAA changes its guidelines. A complete set of state planning agency grant guidelines is issued annually, but changes may be made at any time during the year. Therefore, SPAs may have to modify or adopt new procedures or provide additional information at any time. The major changes, however, are usually reserved for the annual guideline issuance. Table IV-15 shows the changes in the state planning agency

Table IV-15

Guideline Changes for Part B and Part C Grants FY 1969-1976

Fiscal Years	Number of Changes Indicated by LEAA In Preface	Summary of Major Changes	Primary Initiator of Such Changes
1969-1970	1	Replacement of simplified format of 1969 plans with detailed format and requirements.	LEAA
1970-1971	8	Reorganization of the plan outline into program and administrative components.	LEAA
		Reorganization of multiyear plan and annual action plan.	LEAA
		Multiyear period increased from 4 to 5 years.	LEAA
1971-1972*			
1972-1973	33	Shifting of the administrative components of the plan from Part C to the planning grant application.	LEAA
		Buy-in and hard match requirements instituted.	1971 Amendments to the Act
		Requirements resulting from other statutes included, such as: National Environmental Policy Act, Clean Air Act, National Historical Preservation Act, Uniform Relocation Assistance and Real Property Acquisition Policy Act and Civil Rights Acts.	Congressional action and rulemaking by other Federal agencies
1973-1974	13	Requirements to show compliance with: a) 90 day rule; b) Buy-in and cash match changes; c) RPU elected official representation; and d) procedures for direct submission of plans from local governments with over 250,000 population.	Crime Control Act of 1973
		Requirements to show compliance with the determined effort provision of the act.	Crime Control Act of 1973
		Requirement to provide funding incentive to units of government that coordinate and combine criminal justice functions.	Crime Control Act of 1973
		Required inclusion of a comprehensive juvenile justice program.	Crime Control Act of 1973
		Requirements to increase the emphasis on the development of narcotic and alcoholism treatment programs in correctional programs and to provide for programs to monitor the progress and improvement of the correctional system.	Crime Control Act of 1973
		Increased EEO requirements.	Dept. of Justice EEO guidelines
1974-1975	7	Revisions in the requirements relating to the National Environmental Policy Act of 1969, the Clean Air Act and Federal Water Pollution Control Act and the National Historic Preservation Act.	Revised guidelines and executive orders from other Federal agencies
		Revised A-95 review requirements.	OMB Circular A-95
1975-1976	23	Increased emphasis on juvenile justice throughout the guidelines including required changes in SPA supervisory board composition.	Juvenile Justice and Delinquency Prevention Act of 1974
		Revised A-95 procedures and a requirement for memorandums of agreement on areawide planning.	Revisions in OMB Circular A-95
		New requirements for civil rights compliances, especially concerning reporting on awards for construction projects.	LEAA and Dept. of Labor guidelines
		Revised requirements for the National Environmental Policy Act and the National Historic Preservation Act.	Revised guidelines from other Federal agencies
		Expansion of the required description of planning and plan relationships.	LEAA
		Increased emphasis on SPA technical assistance requirements.	LEAA
		Increased requirements (more specificity) about the SPA's auditing plans and procedures.	LEAA
		Major changes to the comprehensive plan requirements, including increased data analysis and the complete integration of standards and goals into the plan.	Progressive responses to the Crime Control Act of 1973

New requirement that LEAA's program descriptors be added to programs in the multiyear and annual action plans.	LEAA
Increased detail required in the progress reports.	LEAA
New requirement for the provision of joint statements as to the relationships between LEAA and the Housing and Community Development Act of 1974 and the Joint Funding Simplification Act of 1974.	Other Acts of Congress
More specific requirements for the provision of narcotics and alcohol treatment in corrections programs.	LEAA to clarify 1973 amendments
Requirement for more information on the plans and programs of states in the areas of organized crime and the Bicentennial.	LEAA

*The summaries of changes for 1971 and 1972 were distributed with the preliminary issuances and were not available from LEAA and other sources. However, according to the General Counsel's Office a number of substantive changes occurred at that time in response to the Part E corrections amendment. In addition, some technical and clarifying modifications were made, and certain SPA memoranda were consolidated at LEAA's initiative.

grant guidelines for each fiscal year since 1969. Material in this table was developed from the summary pages that accompany each new set of guidelines (see Appendix IV-8, p. 112) and reflects only those changes indicated in the summaries. Therefore the total number of modifications could have been far greater than the figures in the table. The data show that the greatest number of changes appears to occur in those guidelines issued after new legislation becomes effective. Particularly notable is the number of additional requirements (and changes therein) that result from legislation other than the Safe Streets Act. Overall, the changes appear to be due primarily to acts of Congress. But, with the promulgation of the FY 1976 guidelines, LEAA appears to be increasing its role here, to the point of initiating almost half of the major changes, a departure from past LEAA practice. The table also shows that most of the changes in the guidelines have been the addition of new requirements or expansions of existing ones. It would appear, therefore, that state complaints about the proliferation of Federal requirements have some merit, but the conclusion that these have been the result of LEAA's capriciousness is not substantiated by the data.

SAFE STREETS PLANNING PROCESSES AND PROCEDURES

When the Safe Streets Act became law in 1968, little criminal justice planning was being conducted. As previously discussed, between 1966 and 1968 the Office of Law Enforcement Assistance (LEAA's predecessor) had awarded over $2.9 million to 30 states to help them develop criminal justice planning capacities. Because of the small amount of funds involved and the state-of-the-art at the time most states had only established a mechanism to study their crime problems by the time the Safe Streets Act became law. Only seven SPA directors indicated that any comprehensive criminal justice planning activities existed at the state, regional or local levels prior to 1968. Similarly, 95 percent of the 335 RPUs and an equal proportion of the 1,236 local governments responding to ACIR's surveys stated that no criminal justice planning was being conducted in their jurisdiction prior to 1968.

As discussed in Chapter III, the Safe Streets program got off to a slow start. The delays in appointing administrators and promulgating guidelines combined with the lack of experience or knowledge about criminal justice planning resulted in initial state plans that were little more than compliance documents. In light of these factors, few expected the states to perform comprehensive planning, at least initially.

Since then, expectations about planning have changed. A body of criminal justice planning knowledge has been developed, as have additional planning tools and techniques. A criminal justice plan-

ning profession has emerged, and state planning agencies have had more than seven years to create processes and procedures for planning within their states. LEAA's expectations have also increased, as evidenced by the guideline requirements relating to the planning process of each state and the required elements of the annual comprehensive plan. Even as the program matured, some observers continued to feel that the original congressional expectations regarding comprehensive criminal justice planning were ambiguous as well as ambitious. These expectations have since been clarified; in 1973, Congress amended the act to include the following definition of "comprehensive":

> The term comprehensive means that the plan must be a total and integrated analysis of the problems regarding the law enforcement and criminal justice system within the State; goals, priorities, and standards must be established in the plan and the plan must address methods, organization, and operation performance, physical and human resources necessary to accomplish crime prevention, identification, detection and apprehension of suspects; adjudication; custodial treatment of suspects and offenders and institutional and noninstitutional rehabilitative measures.

While few would question the desirability of the kind of planning envisioned by Congress, its feasibility is questionable, especially when viewed in the context of the historic fragmentation of the criminal justice system and the small amount of funds involved. How the states, regions, and localities have attempted to meet this mandate and the problems they have encountered are the subjects of the following discussion.

SPA Planning

Most SPA activities related to planning are eventually translated into the annual comprehensive plan. This document serves as the focal point for most state-level planning and for LEAA's decision to award block grants. The eight major required sections of the state plan were intended to provide the states with a framework for a logical progression for planning and decision-making. Basically, the planning model set forth in the outline provides for an analysis of crime and the criminal justice system, a description of the standards and goals adopted by the state to measure acceptable levels of performance, an identification of deficiencies and of other needs and problems related to reducing crime and improving the administration of justice, and a selection of the most appropriate method(s) for remedial action. In other words, this approach to planning calls for defining the problem (e.g., burglary is the most serious crime problem in the state), setting a goal for correcting the problem (e.g., reduce burglary by five percent in three years), and determining a way to meet the goal (e.g., conduct a public education campaign concerning the need to keep doors and windows secure).

In addition to generally describing this process, the state plans are required to break down the results on a multiyear and annual basis. Because to plan is, inherently, to look to the future, the multiyear perspective is required. Since block grants are awarded on an annual basis, description of how the funds will be used each year is also necessary. The detail required for the annual action plan is much greater than that required for the multiyear portions, since it is assumed that more information is available about the immediate future. While LEAA does not strictly hold the states to their multiyear plans, it does require close adherence to the annual action plan. As a result of this emphasis, the concentration on funding and the annual plan requirement, SPAs are much more concerned about planning for the allocation of resources in the coming year than for longer periods. The survey of SPA directors, for example, revealed that the Needs and Problems and the Annual Action Plan elements of the plan were considered by more than 80 percent of the respondents to be essential or very helpful, while the Multi-year Budget and Federal Plan, Multi-year Forecast of Results and Accomplishments, and Related Plans, Programs and Systems components were viewed by more than one-third of the respondents to be of little or no use.

The responsibility for making decisions or performing activities needed to produce a plan varies from state to state. As previously indicated, in 21 states the supervisory board takes an active and influential role in reviewing and approving specific activities in the annual plan, while 22 accept staff recommendations with review. In addition to the differences between supervisory body and staff roles in planning, the activities of the regional and local planning units also must be considered. Generally, decentralized states delegate much of the decision-making authority to regional and local units, so that

the SPA supervisory body only makes broad policy decisions and the SPA staff compiles the state plan from regional and local input.

When asked the extent to which the planning activities of the staff involve various functions, all 52 responding SPAs indicated that they have some degree of involvement in the review and approval of the annual plan by the supervisory body — in establishing program categories, in analyzing the previous year's project and programs, in analyzing crime and criminal justice data, and in establishing policies and priorities. This level of participation reflects the reliance of the supervisory board on the staff to provide them with the information needed to establish policies and priorities. As the technical requirements have grown in the Safe Streets program, supervisory bodies have become more dependent on their staffs to keep them informed or to ensure that the plan remains in compliance without reconsideration by the supervisory board. The SPA staff's lack of contact with the general public and local planners in the planning process is underscored by the response of more than half of the SPA directors surveyed that their staffs had little or no involvement in conducting public hearings or helping local governments in developing plans.

As shown in Figure IV-2, the establishment of policies and priorities is thought to be the most important planning function of the SPA. The approaches to setting these policies and priorities vary from state to state and are still in transition in some places. Generally, there are three basic models for determining the priorities in the annual plan. First, some states employ a pre-planning approach whereby the SPA determines all priorities and sets forth the programs needed to implement the priorities. The level of functions for each program is also set by the SPA. A common characteristic of this model is the use of crime and criminal justice performance data as the basis for the determination of needs, problems and priorities. States using this model often prescribe certain parameters for each program, such as the type of recipient, size of recipient's jurisdiction and specific goal to be achieved.

The second planning model sets overall priorities through the determination of minimum and maximum amounts of funding to be allocated to any functional or jurisdictional interest. For example, a state using this model would set forth percentage allocations to broad functional categories, such as law enforcement or juvenile justice, based upon general need as determined through data analysis, direct expenditures and/or continuation funding requirements. Because the categories used in this method are so broad, they are usually viewed as decision constraints for the SPA rather than for potential applicants. In some states, letters of intent from state and local applicants are solicited and result in the formation of specific programs to be included under each functional category. Several SPAs have used this approach to encourage funding balance rather than to specifically set forth the priorities for the entire criminal justice spectrum.

The third model allows localities and state agencies to determine the priorities that will encompass their most pressing needs through the transmission of local plans, pre-applications and letters of intent. From these indications of local and state agency needs, the SPA compiles the priorities and programs for the annual plan. Analysis of crime data to identify problems and justify remedial measures is left to the applicant, who is assumed to possess much better information and insight. The SPA may set broad policies, such as prohibiting the use of funds for specific types of equipment or construction, but the actual priority setting is done by the localities and state agencies.

The above descriptions are simplified. In reality, combinations of all three are used in many states. For example, some states use a pre-planning method for state-level problems and leave the responsibility for local priority setting to cities and counties. Generally, SPAs establish priorities and policies in their planning processes, although their scope varies considerably. For example, 39 SPAs reported establishing policies or priorities that exclude certain activities and encourage others; most of these related to the restrictions of equipment purchases or construction rather than to broader needs and problems.

Another basic variable in criminal justice planning efforts is the target for the planning—crime, standards and goals, or system improvement. Each of these targets has resulted in a different approach to planning. Crime-specific planning was developed and refined through the Impact Cities program initiated in 1971. Under this approach, specific crime problems are identified and addressed throughout the system. For example, a crime-specific planning effort would entail an analysis of the circumstances surrounding the crime, the victim, the criminal and the system's response to the crime. Programs then would be developed relative to each of the variables. Dominant in the crime-specific planning concept is

the adoption of clear, measurable goals of reducing crime in the selected categories (e.g., reduce burglary by five percent).

The use of standards and goals in planning accompanied initiation of the Safe Streets program. On the basis of the recommendations of the President's Crime Commission, many states launched their planning efforts by trying to implement certain standards. Recognizing the need to develop a complete and definitive set of standards and goals for the entire criminal justice system effort, LEAA established the National Advisory Commission on Criminal Justice Standards and Goals in 1971. The standards and goals recommended by the commission need not be adopted by the states, but the Crime Control Act of 1973 required that the states include their own standards and goals as part of the annual comprehensive plans. This requirement and the funding incentives LEAA has provided have greatly increased the use of standards and goals in planning throughout the nation. Two methods of standards and goals planning are currently employed: delineation of programs to encourage state agencies and localities to implement standards and goals adopted by the SPA, and requirements that recipients of certain types of grants meet the adopted state standards and goals in order to receive Federal aid.

System improvement planning, the most common approach used by the SPAs, seeks to enhance the quality of the components of the criminal justice system and the management of the flow of cases and people through it. Directing planning efforts toward system improvement rather than crime reduction has been a continuing bone of contention for those concerned about the program. The uneasy compromise eventually adopted by the Congress in the 19[illegible] amendments called upon the program to promote planning for "strengthening and improving the criminal justice system" in order to reduce crime. The assumption that upgrading the system will reduce crime continues to be the basis for system improvement planning in the Safe Streets area.

None of the three primary targets for planning are mutually exclusive and, in fact, are often addressed in combination. Many states do some system improvement planning using state-adopted standards and goals as the measures for success. Crime-specific planning has been a part of many SPA planning efforts, but not to the extent it was in the Impact Cities program. SPAs usually will direct a moderate amount of resources into crime-specific planning, while concentrating on system improvement and standards and goals.

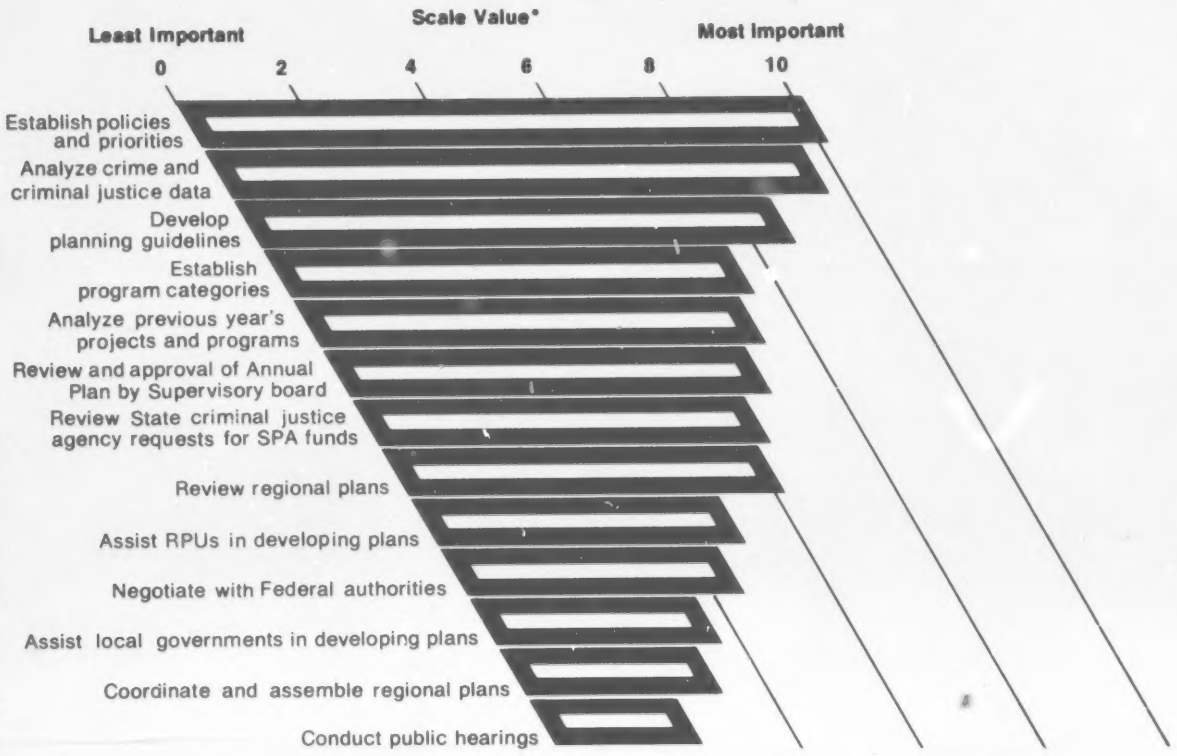
Despite the above, critics of the Safe Streets program contend that no real comprehensive planning is being conducted by the states. They argue that only funding decisions are being made rather than decisions concerning overall long-range priorities. The specific project orientation of state plans is cited as evidence of a fund allocation process. According to the responses to ACIR's survey of the SPA directors, plans are oriented toward specific projects, since an average of 68 percent of the Part C funds annually planned for was earmarked for specific projects. Whether this finding indicates that the states are not actually planning is questionable for several reasons. First, the amount of funds committed to continuation projects has grown steadily leaving many SPAs no choice but to base their plans on the projects that are committed for the upcoming year. Second, the emphasis of LEAA and later the states on using all of the Part C money during the period when it is available has led many states to increase their level of implementation; the most feasible way to do so was to secure projects for inclusion within the plan. Third, state and local government officials have become well aware that programs translate into projects and that in order to get a project funded it must be covered by a program in the annual plan. Therefore, the pressures on the SPAs to make sure they have included specific projects in the plan is great. Finally, the level of information required by LEAA in the program descriptions of the annual action plan, such as the numbers and types of projects to be funded and jurisdictions involved, has encouraged many SPAs to attempt to develop projects for inclusion in the plan so that the required data can be readily obtained. While long-range decisions about priorities are usually included in the annual plans, they are not as apparent as the more numerous and explicit project discussions.

Another concern about state planning efforts is the need for the SPAs to perform empirical analysis in order to determine needs and problems. Twenty-two SPAs surveyed indicated that the allotment of funds to specific activities always or usually reflected identified needs and problems as determined by statistical analysis of crime rates and criminal justice data, while an equal number indicated that the allotment of funds only sometimes reflected such analysis. However, Figure IV-2 reveals that SPA directors thought that analyzing crime and criminal

Figure IV-2

Ranking of Functions by Order of Importance to the SPA

October 1975



*Scale value is the sum of each possible ranking for the objective multiplied by the number of respondents indicating such rank, divided by the total number of respondents.

justice data was the second most important planning function of an SPA. The relatively limited use of criminal justice data and analysis, then, has not occurred because of a lack of state desire or support but because of the overall lack of information about the criminal justice system and the reluctance of decision-makers to make use of available data. For instance, a recent report prepared by the Abt Associates for LEAA concerning the analysis of high crime areas in state plans concluded that:

> While an examination of Plans suggests that States are making some effort to obtain detailed data describing characteristics of victims, offenders and events at the local level, over 80 percent of the Plans reviewed contain no greater level of detail in crime than that of a law enforcement jurisdiction.
>
> —In general Plans demonstrate some degree of expertise in analyzing available data.
>
> —Little evidence could be found in Plans to suggest that crime analysis is applied to the planning process in a unified manner.
>
> —Despite the fact that State Planning Agencies must assume responsibility for the development of Comprehensive Plans, many States appear to be shifting much of the Plan development to local planning agencies.[26]

In summary, the processes of making decisions about controversial issues in a political environment may well be a major contributor to the lack of use of empirical analysis, rather than poor performance on the part of the SPAs. Several factors appear to be encouraging the states to develop project-specific, short-term plans that are not the result of data analysis. First, the annual plan requirement has caused many SPAs to gear their planning efforts toward the short-term. The delays in guideline issuance by LEAA have often resulted in the states having to develop plans hastily and concentrate on related LEAA requirements. Many SPAs also view the comprehensive plan as a compliance document—a ticket to funding. The model of planning used by the states also influences the amount of empirical analysis and long-range planning activity; states that have adopted a pre-planning process tend to conduct more data analysis within the SPA than those that use other approaches. In addition, continuation funding has had great influence over planning results in all states. By simply reducing the amount of resources available for allocation each year, the scope of planning activity has been reduced in most SPAs. But possibly the most important factor here is the persisting emphasis on the distribution of funds. As long as the distribution of LEAA funds is considered to be the primary function of SPAs and the major reason for participation in planning activities, project-specific, short-term plans will be the most common planning product. In short, lacking the authority and capacity to plan for the state-local criminal justice system, SPAs find it difficult to gain credibility in planning and to fulfill the ambitious catalytic role the act delineated for them.

Regional and Local Planning in the Safe Streets Program

As discussed in the previous section, the Safe Streets Act has specifically encouraged planning at the regional and local levels through the Part B pass-through provisions, the requirement that states provide for direct submission of plans by localities with more than 250,000 population, and the authorization for the creation of criminal justice coordinating councils by local units with 250,000 or more population. The degree of local and regional planning varies considerably throughout the country and ranges from total control over Safe Streets planning within their jurisdictions to merely providing requested data to the SPA for use in its planning process. While many of these units also participate in criminal justice planning involving local or state resources, this discussion focuses on Safe Streets planning by the primary substate unit designated by the SPAs for this purpose, the regional planning units. It should be noted that the single-county and city planning units that perform the functions of a primary substate unit, such as some CJCCs, are treated as regions.

While many RPUs produce plans for the use of Safe Streets funds and often undertake many of the same processes and procedures described in connection with SPA planning, the measure of the impact of their efforts is the degree to which the RPUs are able to plan for their constituent jurisdictions. For example, many RPUs are required to submit plans to their SPAs that include a statement of priorities and a description of programs to implement those priorities, but the SPA may have already prescribed those that it will accept or may accept only some of the region's priorities or programs for inclusion in the annual plan. Since the states are the

recipients of the block grant and are ultimately responsible for its administration to the Federal government, the delegation of authority to make planning decisions is entirely up to the SPA. As discussed in greater detail in Chapter VIII, no precise measure of centralized or decentralized planning exists, although several criteria appear to be common to each approach. Generally, centralized states are characterized by:

1) The presence of specific and firmly enforced SPA funding policies that determine the kinds of activities that may or may not be funded at the regional level;
2) The limitation of the amount of planning capacity, authority and responsibility given the RPUs relative to the SPA;
3) The absence of a fixed percentage distribution of block grant funds among RPUs;
4) The lack of well-defined and specific regional plans outlining proposed activities that form the basis for the SPA's annual plan; and
5) The SPA's retention of authority for approving the funding of individual projects.

Decentralized states are characterized by:

1) The delegation of substantial authority and responsibility for planning and funding decisions to regional planning units;
2) The fixed allocation of block grant funds to RPUs on a percentage basis;
3) The capacity and authority for RPUs to develop regional plans, which form the basis of the annual state plan; and
4) The absence of specific SPA policies that identify or restrict the activities to be funded with Safe Streets funds.

Table IV-16 reflects the views of the responding SPA directors on three survey questions that relate to the above characteristics: Which unit (SPA or RPU) has the greatest influence over local activities that receive funding? Does the SPA indicate the amount of Part C funds each region will receive? Does the SPA accept RPU decisions and incorporate the RPU plan into the SPA plan with few changes? It would be expected that decentralized states would reply that the RPU has the greatest influence over which local activities receive funding, that the SPA indicates the amount of Part C funds each region will receive, and that the SPA accepts RPU decisions and incorporates the RPU plan into the State plan. Of the 35 SPA directors answering all three questions, 14 gave responses that meet all three of the decentralized criteria, while four gave two decentralized responses, and 11 did not indicate that any of these factors were present. Therefore, it appears from this information that many states tend to be decentralized in terms of their planning relationship with the regions. These findings also suggest that regional planning and decision-making are important aspects of the Safe Streets program.

Another view of regional planning is provided by a description of the way regional units plan. Eighty-seven percent of 332 regional planning units surveyed indicated that they prepare an annual plan. More than 70 percent of these respondents noted that the RPU selects specific activities for inclusion in the plan from a larger number of proposals submitted by local governments, but that they usually accept these project decisions and incorporate them into their plan with few changes. Therefore, it appears that most regional planning units use a planning approach that relies upon the submission of proposals from local governments rather than the solicitation of proposals by the RPUs.

In states where planning is not decentralized but RPUs are required to submit plans to the SPA, the inclusion of all proposed programs and projects into a regional plan occurs because the SPA makes the decisions about priorities and the RPU wants to maximize its funding potential. According to the results of both the SPA and RPU surveys, RPUs establish their own funding policies and priorities despite the fact that they may not control these planning decisions. In some instances this occurs because the RPUs have recognized many of the important effects that grant monies can have on local governments and seek to insure only positive results. For example, many RPUs have established continuation funding policies that are much more stringent than those of the SPA to gain local commitment to projects and enhance their prospects for successful implementation. Other times, RPUs seek to establish funding policies and priorities in order to clearly indicate local problems and needs to the SPA.

The procedures for formulating RPU plans are

Table IV-16

SPA Directors' Views on Decentralization

October 1975

State	Unit Having the Greatest Influence Over Local Funding		Does SPA Indicate the Amount of Part C Funds Each Region will Receive?		Does the SPA Accept RPU Decisions and Incorporate the RPU Plan into the State Plan?	
	SPA	RPU	YES	NO	YES	NO
ALABAMA		X		X		X
ALASKA (NA)						
ARIZONA		X	X		X	
ARKANSAS	X			X	X	
CALIFORNIA		X	X		X	
COLORADO		X	X		X	
CONNECTICUT	X			X		X
DELAWARE (NA)						
DISTRICT OF COLUMBIA (NA)						
FLORIDA		X	X		X	
GEORGIA	X			X		X
HAWAII	NR			X	NR	
IDAHO	X		X		X	
ILLINOIS	X			X	X	
INDIANA		X	X		X	
IOWA		X	X		X	
KANSAS (NR)						
KENTUCKY	X			X		X
LOUISIANA		X	X		X	
MAINE	X			X		X
MARYLAND	X			X	NR	
MASSACHUSETTS	X			X		X
MICHIGAN	NR		X		X	
MINNESOTA	NR		X		NR	
MISSISSIPPI	X			X	X	
MISSOURI		X	X		X	
MONTANA (NA)						
NEBRASKA	X			X		X
NEVADA		X	X		X	
NEW HAMPSHIRE	X			X	X	
NEW JERSEY (NA)						
NEW MEXICO	X			X		X
NEW YORK (NR)						
NORTH CAROLINA	X			X		X
NORTH DAKOTA	X			X		X
OHIO		X	X		X	
OKLAHOMA	X			X		X
OREGON	X		X		X	
PENNSYLVANIA		X	X		X	
RHODE ISLAND (NA)						
SOUTH CAROLINA		X	X		X	
SOUTH DAKOTA		X		X	NR	
TENNESSEE	X		NR			X
TEXAS		X	X			
UTAH	X		X			
VERMONT (NA)						
VIRGINIA	X		X		X	
WASHINGTON		X	X		X	
WEST VIRGINIA (NA)						
WISCONSIN	X		X			X
WYOMING	X			X		X
PUERTO RICO (NA)						
VIRGIN ISLANDS (NA)						
AMERICAN SAMOA (NA)						
GUAM (NR)						

NA = Not applicable. NR = No response.

very similar to those of the SPAs. As shown in Table IV-17, more than 60 percent of the RPU officials reported that they are greatly involved with the review and approval of the annual plan by the regional supervisory board, assist local agencies in developing plans, negotiate with state authorities, analyze crime and criminal justice data, and coordinate and assemble local plans. While their role in conducting public hearings is greater than that of the SPAs, it still ranks as one of the lesser activities of the RPU. This table is particularly interesting with respect to the attitudes of the SPAs toward RPU activities. In most instances, the SPA directors thought that the RPUs were much less involved in the various activities than the RPUs had indicated. The greatest disparity in opinion concerns the level of involvement of the RPUs in analyzing crime and criminal justice data. The SPAs rely upon the RPUs for much of the criminal justice data that is included in state plans. Because of the RPUs inability to meet all of the demands made by the SPAs for such information, the SPAs think that the RPUs are not greatly involved.

This disparity in attitude is characteristic of most relationships between RPUs and SPAs. For instance, a 1975 National League of Cities-U.S. Conference of Mayors survey report on local criminal justice planning concluded, "Relationships between local criminal justice planning offices and the state planning agencies are, with few exceptions, adversary in nature and generally hostile."[27] While these attitudes are the tensions that occur in day-to-day state-regional-local dealings, they also directly relate to the fact that the authority and resources needed for RPUs to plan must come from the SPA while the RPUs' constituency is local governments. This situation is often very similar to that existing between LEAA and the states due to the delegation of authority and resources from the Federal to the state level. RPUs in several states have joined together to form statewide associations, similar to the National Conference of State Criminal Justice Planning Administrators at the national level, in order to present a unified voice in dealing with the SPAs and to provide a forum for the exchange of information.

STATE AND REGIONAL PLAN DECISION MAKING: AN ASSESSMENT

Two of the most important questions under the Safe Streets program are: Who makes the planning decisions? and What are the attitudes of all participants in the program about the adequacy of the planning decisions? While much of the information in this section relates to earlier discussions, its presentation here provides the opportunity to analyze in a comparative manner state, regional, and local attitudes.

As indicated earlier, many states have decentralized the authority to make planning decisions to their RPUs. Despite this trend, two-thirds of the

Table IV-17

Comparison of SPA and RPU Directors' Views as to the Degree of Involvement of RPUs in Various Planning Activities

October 1975

Activity	Great Involvement		Some Involvement		Little Involvement		No Involvement		Total Number Responding	
	SPA %	RPU %	SPA %	RPU %	SPA %	RPU %	SPA %	RPU %	SPA	RPU
Establish program categories	12.2	37.3	31.7	28.0	31.7	16.2	24.4	18.2	41	346
Establish policies and priorities	29.3	53.3	56.1	30.0	12.2	10.7	2.4	6.1	41	347
Conduct public hearings	17.5	26.0	22.5	26.9	40.0	26.6	20.0	20.4	40	338
Analyze crime and criminal justice data	29.3	64.1	51.2	29.3	19.5	4.1	-0-	2.6	41	345
Assist local agencies in developing plans	48.8	70.1	36.5	20.0	9.8	5.5	4.9	4.3	41	345
Review local plans	60.0	59.9	25.0	23.7	7.5	5.3	7.5	11.0	40	337
Coordinate and assemble local plans	56.4	63.0	23.1	19.2	12.8	6.8	7.7	10.9	39	338
Negotiate with state authorities	48.8	67.0	39.0	23.1	9.8	6.4	2.4	3.5	41	342
Review and approve annual plan by RPU supervisory board	67.5	74.0	17.5	10.8	7.5	4.2	7.5	11.1	40	334
A-95 review process	51.4	55.2	31.4	19.8	5.7	10.2	11.4	14.8	35	324

1,207 responding localities thought that the SPA has the most influence in determining which activities and jurisdictions receive funding. An analysis of the replies to this question on a population basis shows that cities and counties with populations in excess of 500,000 were almost evenly split as to which unit had the most influence over funding. This differing attitude may reflect the fact that many large jurisdictions are also RPUs or CJCCs and therefore feel that the RPUs have more influence. Conversely, it may reflect the frustrations that many large jurisdictions experience with the decisions made by multi-county RPUs of which they are a part.

One of the major reasons why the composition of both SPA and RPU supervisory boards is of interest to participants in the Safe Streets program is the assumption that representation on these bodies determines which agencies and jurisdictions eventually receive funding. At the state level, one-third of the responding SPA directors found representation on the SPA supervisory board to be not at all important: one-half considered representation as somewhat important. According to RPU officials, representation on the RPU supervisory board has a slightly greater degree of influence on funding decisions than does representation at the state level. Of the 331 responding RPUs 21 percent thought representation was crucial or very important, while 45 percent felt that it was not at all important. From this comparison, the conclusion can be drawn that representation at both the state and regional levels may have some but not substantial influence on funding decisions.

Even though representation on supervisory boards may not be the major determinant of funding, local and regional participants have definite ideas about which groups or individuals exercise the most influence over supervisory board decisions. Despite the fact that more than 40 percent of the 43 SPA directors replying to a question on this matter indicated that no specific group dominates the SPA supervisory board, local respondents said that state officials had the most influence over SPA board decisions, followed by the police representatives. As previously mentioned, RPU directors indicated that police representatives were the most influential on regional boards, a view shared by the local respondents.

As with most decision-making bodies, supervisory boards do not make decisions in a vacuum and are subject to outside pressures. When asked how often the need to accommodate a particular jurisdictional or functional interest was the determining factor in decisions of SPA supervisory boards, 25 SPAs indicated rarely or never. At the same time, while no respondent reported that accommodation was always a determining factor, 27 did indicate that it was often or sometimes the determining factor. RPU boards appear to make decisions based on the need to accommodate particular jurisdictions or functional interests about as often as SPA boards; 52 percent of 323 RPU directors reported that accommodation is rarely or never the determining factor, while 15 percent judged that this was always or often the case. SPA directors were also asked how often the need to accommodate a particular jurisdiction or functional interest was the determining factor in RPU board decisions; more than 80 percent of the 38 who responded said that it occurred always, often, or at least sometimes at the RPU level. This difference in perception at the state and regional levels highlights the fact that SPAs do not view their RPUs as very capable or effective—rather they are often considered as inefficient political expedients.

Although no questions in the surveys requested information about the planning capacity of the SPAs, the SPA directors and the local respondents were asked to rate the extent to which the RPUs have the capacity to plan for the effective use of block funds. Of the 1,131 local respondents, 22 percent rated RPU planning capacity as highly developed, 54 percent rated it adequate, and 23 percent replied inadequate. On the other hand, of 43 responding SPA directors, only two (five percent) thought their RPUs had a highly developed planning capacity, 19 (44 percent) believed it adequate, and 22 (51 percent) thought regions had inadequate or no planning capacity. The disparity between the SPA and local respondents is probably attributable in part to the satisfaction each has with the services rendered by the RPUs: the RPUs provide useful services to local governments, but many SPAs think that they do not receive any assistance from the regions unless the SPA requires them to do so. This disparity in opinion may also result from the differences in planning sophistication at the state and local levels, since the SPAs probably judge RPU planning efforts against much more stringent criteria than localities do.

Another measure of the satisfaction of local participants in the Safe Streets program is the degree to which they judge that state and regional

Table IV-18

Local Views as to the Degree to Which SPA and RPU Plans Reflect and Incorporate Local Needs and Priorities

October 1975

	Planning Unit			
	SPA		RPU	
	No.	%	No.	%
Significant	105	8.7	281	24.5
Adequate	590	49.0	565	49.2
Very little	456	37.8	245	21.3
Not at all	54	4.5	58	5.0
Total responding	1205	100.0	1149	100.0

plans reflect and incorporate their criminal justice needs and priorities. As shown in Table IV-18, the responding localities tend to believe that RPU plans reflect and incorporate their needs to a much greater extent than the SPA plans. This local reaction to the RPU and SPA planning efforts probably results from greater familiarity of localities with RPU operations and plans. In addition, it is usually easier to identify specific programs and projects in an RPU plan than in an SPA plan owing to the higher level of aggregation in the latter. Another major possible explanation is that in many states the SPA does not require RPU plans to be comprehensive but does select programs for inclusion in state plans based on the need to ensure comprehensiveness and funding balance. Therefore, the projects of many localities may not be included in the state plans. While the size, location and type of jurisdiction does not appear to make much difference in the positive ratings of both SPA and RPU plans, the jurisdictions that indicated that SPA plans did not at all reflect and incorporate their needs were typically suburban cities with populations under 50,000 located in the northern part of the country. The localities most dissatisfied with RPU plans were generally the same, although they were slightly larger in population.

In summary, the planning decisions made by both SPA and RPU boards do not appear to be overly influenced by representation on the supervisory boards or the need to accommodate particular interests or jurisdictions. The most influence is exercised by the state officials on SPA boards and by police officials on RPU boards. Localities appear to be fairly satisfied with the results of planning decisions at both levels and tend to believe that their RPUs have a fairly well developed planning capacity. At the same time, the SPAs have a fairly low opinion of the RPUs in terms of the way decisions are made by their supervisory boards and the extent to which RPUs have the capacity to plan for the effective use of block grant funds.

PLAN IMPLEMENTATION

Once the comprehensive plan is approved by LEAA—or in some states after its submission to LEAA—the state planning agency accepts applications for projects that would implement the plan. The states that employ a pre-planning approach usually have to solicit applications from eligible applicants and conduct a fairly vigorous campaign to inform such applicants about the availability of funds for particular programs. The states that have used pre-applications during their planning cycle or have adopted regional plans that specifically describe projects for funding usually inform the sponsors of the pre-applications or the RPUs that they are preparing to accept applications. The review and approval of applications by the SPA can occur at any time during the two-year period following the award of the block grant, even though the planning for and implementation of the next annual plan may be under way. Therefore, many projects are newly awarded when considered for refunding. (A complete discussion of the SPA application and funding processes is contained in Chapter V.)

Most states have funds that were allocated in the plan but not awarded or were awarded but either refunded or reverted at the end of the project period by the subgrantee. Since each fiscal year's block grant must be obligated and expended by the end of the second fiscal year after its award, many states have had to return block monies to the U.S. Treasury because of their inability to expend the funds, especially monies refunded or reverted by subgrantees. Determining a new use for unused, refunded or reverted funds before they have to be returned to the Treasury is called reprogramming.

To assure itself and the Congress that the states are adequately addressing the needs of all components of the criminal justice system, LEAA encourages in its annual planning guidelines, the use of "standard categories." While this does not prevent SPAs from developing their own categorized structures, if they do so, the program and funding information in their plans must be cross-referenced to
86 LEAA's standard functional categories. Through a variety of methods, SPAs divide their block grant appropriations among the programs that constitute their category structure. This apportionment results in a number of functional "pots," which are used as the basis for reporting expenditure information to LEAA. In order to ensure plan implementation, no more than 15 percent of the funds planned for expenditure in any one category may be transferred to any other category without prior LEAA approval. Applications are funded from these "pots" until the money has been expended. If more worthy applications are submitted in a particular area than can be covered by available funds, the SPA must reject some applications for funding or transfer monies from underutilized "pots" to cover the shortage. If unused or reverted funds originally allocated to one category are reprogrammed into another category, a transfer occurs. If any transfer involves more than 15 percent of a category's funds, the SPA must request LEAA approval through a plan amendment, which indicates how the money will be spent and why such a change is merited. Table IV-19 shows the percentage of Part C fund reallocations among standard functional categories for fiscal years 1971, 1972 and 1973. The overall percentage of Part C funds reallocated among functional categories has declined slightly since 1971, although it has fluctuated considerably and even risen in 18 states during this period. While no data are currently available concerning later years, the continuation funding problems facing many SPAs probably have contributed to reductions in the amounts being transferred.

Based on the survey responses, the effects of categorization on the planning and fund allocation processes seem mixed. Most states have few problems with LEAA's "standard functional categories;" generally the broad categories have not limited SPA discretion and flexibility. For instance, one SPA staff member noted that "naturally, some flexibility is lost, since existing LEAA regulations prescribe certain procedures which must be accomplished including justification for transferring of funds from one category to another." However, the 15 percent allowable adjustment of funds among categories seems to give SPAs sufficient leeway. Moreover, LEAA has usually approved SPA reprogramming actions. Several states indicated that program categories were proper in order to control funds and maintain comprehensiveness. Others, however, asserted that the LEAA guidelines required "force fitting" of projects into a particular program category. One SPA official said, "Flexibility is often destroyed due to the necessity of obligating funds to a specific function," while "much time is lost justifying new priorities to the LEAA regional office."

For most SPAs, then, administrative categorization has not had major adverse effects on the use of funds by state and local applicants. Significant flexibility remains in planning, priority setting and funding. Thirty-one of the SPAs surveyed indicated that the block grant approach gave them considerable programmatic and administrative discretion in establishing action grant priorities. Twenty-two thought that they had a significant amount of discretion over the control and use of Safe Streets funds, while 22 as well thought that this was the case with regard to planning procedures.

Because the SPA categories are used for all programs included in the state plan, the RPUs have much less flexibility if the SPA imposes program categories on the RPU plans than if it develops categories from the RPU plans. Because of this potential, and often actual, imposition of program categories on the RPUs, their attitudes toward the state's system of categorization differs from the SPAs'. When asked to what extend the SPA's allocation of funds to particular categories for different purposes has limited flexibility in RPU planning processes, more than 75 percent of 305 responding RPU directors indicated such categorization has greatly or moderately limited their flexibility. Therefore, even though a substantial number of states ap-

Table IV-19

Percentage of Part C Fund Reallocations Among Standard Functional Categories

October 1975

States	FY 1971	FY 1972	FY 1973
UNITED STATES, TOTAL	17.6	16.9	16.7
Alabama	NA	NA	NA
Alaska	10	10	10
Arizona	22.2	12.2	23.1
Arkansas	35	30	25
California	NA	NA	NA
Colorado	80	80	40
Connecticut	20	25	30
Delaware	NA	NA	NA
District of Columbia	6.2	5.4	14.4
Florida	40	30	20
Georgia	10	8	7
Hawaii	NA	NA	NA
Idaho	5	3	2
Illinois	5	5	10
Indiana	20	15	35
Iowa	10	8	6.5
Kansas	NA	NA	NA
Kentucky	NA	NA	NA
Louisiana	17	8	7
Maine	40.6	32.6	31.6
Maryland	5	7	7.5
Massachusetts	10	5	3
Michigan	4	5	0
Minnesota	15	6	11
Mississippi	10	15	11
Missouri	NA	NA	NA
Montana	25	30	30
Nebraska	49.5	63.3	51.9
Nevada	10	10	10
New Hampshire	10	14.1	17.0
New Jersey	10	12	6
New Mexico	NA	10	5
New York	NA	NA	NA
North Carolina	NA	NA	NA
North Dakota	NA	NA	NA
Ohio	9.6	5.8	6.2
Oklahoma	5	5	10
Oregon	20	30	30
Pennsylvania	1	3	1
Rhode Island	0	15	22
South Carolina	18	10	12
South Dakota	16.6	20.3	16.4
Tennessee	18	20	20
Texas	10	8	5
Utah	10	15	15
Vermont	NA	NA	NA
Virginia	40	40	45
Washington	25	15	10
West Virginia	17	18	22
Wisconsin	15	15	15
Wyoming	5	5	6
Virgin Islands	0	18	11
American Samoa	79	49	42
Guam	NA	NA	NA
Puerto Rico	NA	NA	NA

NA = Not Available.

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pear to have decentralized their planning processes, the RPUs generally feel limited by the SPAs' administrative categorization of action funds.

Improvements in plan development and implementation are underscored by the fact that 43 of the SPA directors surveyed reported that their supervisory boards never or seldom approved applications having little or no relationship to the annual action program contained in the state plan. In addition, the degree of plan implementation appears to be fairly high in most states. Appendix IV-9, p. 120 reveals that in the judgment of the SPAs, an average of 88 percent of all projects included in the comprehensive plan have received funding, and 86 percent have been implemented. Overall, only four percent of the projects funded never got off the ground. The percentage of planned projects that have been implemented has been increasing over the years, largely because of efforts to make planning more precise and more reflective of state and local needs. More competition for funds, better monitoring of project progress and greater technical assistance to subgrantees by both the SPAs and RPUs have all contributed to the increasing percentage of projects that are funded and implemented.

EVALUATION AND MONITORING

Throughout the history of the Safe Streets program, strong interest in evaluation has been voiced —on the part of Congress, LEAA, SPAs, and regional and local officials. For a variety of reasons this interest has not been translated into equally forceful action. During the early years of the program, both the states and the LEAA were primarily concerned with distributing and monitoring Safe Streets funds. Congress, although citing evaluation as one of the purposes for which block funds could be used, was mainly concerned that the monies be put into the field as quickly as possible to combat rising crime and civil unrest.

In 1971 and 1972, after most SPA programs were well established, several states recognized the need to develop information about the success or failure of their projects. These states (California, Maryland, Massachusetts, Minnesota, North Carolina, Pennsylvania and Virginia) initiated the first small evaluation programs, which in most cases were designed to assess the results of specific projects. At about the same time, LEAA awarded contracts to various organizations to evaluate some of their large discretionary programs, such as Pilot Cities and Impact Cities.

The debate over the 1973 Safe Streets amendments highlighted congressional concern about obtaining greater and more qualitative information on the results and impact of Safe Streets-supported activities. The amendments specifically mandated LEAA to provide more leadership and to report to Congress on Safe Streets programs. The role of the National Institute of Law Enforcement and Criminal Justice was strengthened and expanded to include evaluation, and state plans were required to assure that Safe Streets projects collected data that would allow the institute to perform evaluations.

In response to this new emphasis, LEAA began to improve its evaluation capabilities in the fall of 1973. An Evaluation Policy Task Force, consisting of both LEAA and SPA officials, was formed to recommend appropriate strategies at the national and state levels. Based on the deliberations of this group, a separate office of evaluation was created within the institute; several intensive evaluations of selected programs (such as youth services bureaus) were initiated; a "model evaluation" program was begun, whereby states and regions could compete for discretionary funding to create "model" assessment efforts at the state or regional level; and new SPA evaluation guidelines were drafted. In addition, LEAA sponsored, in conjunction with the National Conference of State Criminal Justice Planning Administrators, a national meeting on evaluation for SPA executive directors and their chief evaluators.

With this impetus from LEAA, many SPAs began new efforts to monitor and evaluate their projects. In addition, the increasing competition for funds (including increasing continuation commitments) was resulting in a greater demand from SPA and RPU supervisory board members, as well as staff, for more objective and timely feedback on previously funded projects.

Under the revised LEAA evaluation guidelines, SPAs are now required to develop a state evaluation strategy focusing on the results and impact of the programs or projects they support. Although the guidelines provide for ample SPA flexibility, they require that: (1) the results and operations of all SPA-funded activities be rigorously monitored; (2) that all applications and the application process provide the prerequisites for an internal assessment of each project by the subgrantee as well as more intensive monitoring and evaluation activities as determined by the SPA; (3) that the SPA allocate sufficient resources to adequately carry out its monitoring and evaluation responsibilities; (4) that the SPA

intensively evaluate, either with its own staff or with contracted evaluators, selected projects or groups of projects according to its planning needs; and (5) that the SPA take account of the results of the national evaluation program and its own state evaluations in planning its future activities.[28]

Forty-five of the SPAs responding to ACIR's questionnaire indicated that they had developed an evaluation strategy in accordance with these guidelines and 44 thought that their effort had increased since 1973. The SPA directors estimated that on the average 28 percent of all projects and 34 percent of all Safe Streets block funds were evaluated each year. Further, almost all believed their evaluation had had some impact on SPA planning and funding decisions (see Table IV-20).

In a 1975 report, the Urban Institute noted that SPAs have adopted a variety of organizational approaches for conducting evaluations: "There is variation in who provides funding, who does the evaluations, who uses the evaluation information, and who determines what will be evaluated."[29] For example, 39 SPAs utilize internal staff to perform evaluations, with about seven percent of all staff time devoted to this function. Twenty-seven SPAs use outside consultants, either exclusively or in conjunction with staff.

Another variation in the SPAs' evaluation approach is the degree to which responsibility and resources for evaluation have been assigned to the regional level. As the Urban Institute paper pointed out: "Most variation results from the fact that each SPA has its own organizational arrangement and management style for administering the Safe Streets Act and spending LEAA funds. Some States use a decentralized planning process in which the Regional Planning Units (RPUs) make most decisions, while in other States the central SPA staff has the greatest impact."[30] Thus, in some states, evaluation activities, like planning and grant responsibilities, have been concentrated at the regional and local level. Seventy-three percent of the regional officials replying to the ACIR survey said that their RPU had a substantial role in project monitoring or program evaluation; however, only 37 percent thought that their staff and resources were sufficient to perform this function. Sixty percent of the SPA directors agreed that RPUs had a major role in monitoring and evaluation, and 81 percent of those replying said they had provided assistance to the regions. However, only 43 percent thought RPU staff and resources were adequate.

RPUs estimated that they evaluate annually about 57 percent of their projects, representing about 60 percent of their funds, a somewhat higher estimate than that provided by the SPA directors. However, both SPA and RPU indications of the extent of evaluation activity seem higher in comparison with the case study results, and many reflect varying interpretations of what constitutes evaluation. (For the purpose of the ACIR survey, monitoring was defined as a periodic on-site assessment of the progress, problems and results to date of Safe Streets projects. Evaluation was defined as an in-depth analysis of the overall results and impact of a project in meeting its objectives.)

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Table IV-20

SPA and RPU Views on Effects of Evaluation

October 1975

Area	Great Influence				Moderate Influence				Little Influence				No Influence			
	SPA		RPU		SPA		RPU		SPA		RPU		SPA		RPU	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Project refunding	13	28	117	44	27	57	84	32	5	11	27	10	2	4	36	14
On-going modification of projects	13	28	83	31	27	57	121	46	5	11	30	11	2	4	30	11
Provided feedback to planning process	17	36	119	45	22	47	98	37	7	15	26	10	1	2	20	8
Assumption of costs by state and local government	2	4	54	20	20	42	106	40	19	40	67	26	6	13	36	14
Developing new funding priorities*	3	6			23	49			16	34			5	11		

*Not asked on RPU questionnaire.

RPU directors surveyed also stated that, as at the SPA level, RPU evaluations have had an effect on project refunding, modification of ongoing activities and planning. Their impact has been less significant on state and local government assumption of costs.

Interestingly, local officials believed that RPUs evaluated their projects more frequently than did the SPA – 24 percent estimated that the SPA evaluated at least quarterly and 35 percent, that RPU staff assessed project performance this often. Similarly, more localities (58 percent) are familiar with their RPU's evaluation system than with the SPA's (42 percent).

A current issue in the Safe Streets program is the degree of delegation of evaluation responsibilities by the SPAs to RPUs. LEAA guidelines allow SPAs to assign these responsibilities to regional or local planning units, but this decision is strictly at the state's discretion. Some SPAs prefer to retain
90 the function at the state level in order to insure consistency, quality and more effective use of limited resources. Others opt to decentralize evaluation. Some RPUs believe that greater decentralization should occur primarily because decisions are made at the regional and local level and evaluation reports need to be issued in a more timely and useable fashion for local planning.

The 1975 National League of Cities-U.S. Conference of Mayors survey of the nation's largest cities found overwhelming dissatisfaction with SPA evaluation programs. Two-thirds of the 49 respondents said that these programs were either poor or should be abolished. Thirty percent rated them as fair; none answered good; and one city said excellent.[31] ACIR also polled local governments on this issue. Of 1,055 cities and counties responding, 32 percent rated the SPA evaluation system as excellent or good; 32 percent said it was fair; and 36 percent thought it was either poor or should be abolished. Ratings by the localities of the RPU evaluation system were more favorable. Fifty percent of the respondents thought it was good or excellent; 26 percent said fair; and 24 percent replied that it was poor or should be abolished. However, it is very possible that these figures stem simply from their greater familiarity with RPU evaluation efforts.

Despite the heightened interest in evaluation and the increased Federal, state and regional efforts on this front during the last two years, evaluation activities have produced only limited results to date, in the view of several observers. One major critic has been the General Accounting Office (GAO), which in 1974 asserted that LEAA leadership in the area of evaluation was lacking and cited difficulties in assessing the effectiveness of SPA projects due to the lack of comparable data or standards of performance. The GAO called on LEAA to develop operational standards and goals, uniform data collection and reporting systems, and standardized evaluation methodologies. LEAA responded that it was inconsistent with the philosophy of New Federalism to adopt such guidelines, but that it would continue to urge the states to assess their activities.[32] Congressional hearings on reenactment of the program have also produced criticisms that there is still not sufficient information on the uses and outcomes of Safe Streets funds. And the President's FY 1977 budget message states: "Improved selectivity in grant activities, coupled with a great distribution of resources for evaluation and research, will enable LEAA to determine and pursue those programs which promise the most impact on reducing crime in the United States. Such evaluation will improve decisions in the level and direction of LEAA assistance."[33]

The reasons for this lack of success are varied, but a major factor in the view of the SPAs is the lack of resources to conduct evaluation activities. Twenty-three of the SPAs surveyed said that present staff and funds were inadequate to meet their evaluation responsibilities. Thirty-two SPAs replied that evaluation activities were hampered greatly or moderately by the lack of Part B planning funds. To some extent, the lack of planning monies has been offset by the availability of action funds (Part C) for evaluation. However, the LEAA General Counsel has ruled that Part C funds may support only the actual conduct of evaluations, while planning monies must be used for administering an evaluation program.[34] Thus, an SPA staffer responsible for developing an evaluation strategy would be supported by planning monies, while those staff members or consultants actually carrying out the evaluation could receive Part C funding. According to the survey data, as well as the FY 1976 state planning grant applications, the average percentage of Part B funds devoted to evaluation increased gradually from none in FY 1970 to two percent in FY 1972, 4.5 percent in FY 1974 and 5.7 percent in FY 1976. Part C support increased only slightly, from 1.9 percent in FY 1972 to 2.3 percent in FY 1974, while Part E (which may be used to fund evaluations of correctional programs) climbed from 0.4 percent to 1.5 percent.

Besides evaluation, LEAA guidelines also require

Table IV-21

Views Regarding Success of Block Grants in Reducing or Slowing the Growth in Crime

October 1975

	Great		Moderate		Little		None	
	No.	%	No.	%	No.	%	No.	%
SPA officials	2	4	23	49	20	43	2	4
RPU officials	26	8	215	64	84	25	12	4

SPAs to "monitor the implementation, operation, and results of the projects it supports." The purpose of monitoring is "to insure that the SPA generate adequate information to carry out its management responsibilities," and to use the monitoring information to "modify the operations of projects and affect the planning and funding decisions of the SPA." Thirty-five SPAs carry out regular monitoring activities and, in their judgment, generate adequate information for their management, planning and funding decisions and for assessing project performance and modifying operations.

Results of the local surveys suggest that monitoring has been a low-key operation. Nearly thirty percent of 745 cities and 403 counties reported that their projects were monitored by the SPA on an annual basis. A comparable proportion of both cities and counties did not know whether their projects had been monitored. One-sixth of these localities claimed they had never been subject to SPA monitoring.

PLAN OUTCOMES

If the success or failure of the Safe Streets program is measured solely in terms of its impact on crime, then the program has fallen markedly short of its goal. Crime has increased in almost every state and territory since 1969, and in some instances this growth has been dramatic. Nationwide, the 1974 reported index crime rate of 4,821 offenses per 100,000 population represented a 32 percent increase over the 1969 rate and a 17 percent jump since 1973.

The SPAs responding to the ACIR questionnaire predominantly attributed the rise in crime to three factors: drug abuse (one-fourth of the respondents indicated it contributed "substantially" and nearly 60 percent said "moderately"); increased juvenile crime (46 percent answered "substantially" and an additional 46 percent said "moderately"); and high unemployment (31 percent felt "substantially" and 27 percent replied "moderately").

However, in the opinion of these officials the most important factor is increased crime reporting; two-thirds of the respondents rated this factor as contributing "substantially" to the apparent rise in crime. One of the paradoxes of the Safe Streets program is that block grants (as well as LEAA discretionary monies) have been instrumental not only in vastly improving state and local reporting systems but also in encouraging citizens to report offenses. Yet it is impossible to determine to what extent the growth in crime is due to this improved reporting efficiency as opposed to real increases in the number of crimes occurring in proportion to population.

Although the Safe Streets program has not reduced crime, state, regional and local officials agree that block grants have had some effect in slowing the rise in crime rate. More than half of the SPA and nearly three-fourths of the RPU officials surveyed responded that Safe Streets monies have had great or moderate success in reducing or slowing the growth in crime (see Table IV-21). No significant differences were evident in the replies among regions of an urban, rural or urban-rural mix. However, areas with average or high crime rates tended to be less optimistic about the effect of Safe Streets in slowing the rise in crime. City and county officials agreed with the views of the SPA and RPU respondents—about 72 percent of those replying felt that block grants have had great, substantial or moderate success in this regard. Similarly, the majority of officials, no matter what level of government, believed that crime would have risen at an ev-

Table IV-22

Views Regarding Increase in Crime Rate if Safe Streets Funds Not Available

October 1975

	Far Greater		Moderately Greater		Slightly Greater		No Greater	
	No.	%	No.	%	No.	%	No.	%
SPA officials	8	19	16	38	15	36	3	7
RPU officials	89	27	142	43	77	23	22	7
Local government Officials	184	15	432	36	394	33	188	16

en greater rate in the last six years had the Safe
92 Streets program not been in existence (see Table IV-22).

Most SPA directors agreed that it is unfair to assess the program simply on the basis of changes in the reported crime rate. They pointed out that the causes of crime are too complex and deep-rooted to be solved by a program as limited in scope and resources as Safe Streets. More than half of these officials believed that little or no reduction in crime should reasonably have been expected as a result of the program (see Table IV-23). Regional planners were slightly more optimistic; many of these respondents (52 percent) thought at least a moderate decrease should have been expected. However, the regional respondents indicating that little or no reduction should have been anticipated were mainly from more highly populated, urban regions with average or high crime rates. City and county officials seemed to have had even higher expectations; 67 percent of the city and 72 percent of the county respondents indicated that crime should have been expected to decline at least to a moderate extent.

Despite the lack of direct impact on crime, the Safe Streets program appears to have played a key role in bringing about a number of significant im-

Table IV-23

Views Regarding Amount of Crime Reduction Expected as a Result of the Safe Streets Program

October 1975

	Local Officials		RPU Officials		SPA Officials	
	No.	%	No.	%	No.	%
Great reduction	16	1.3	9	2.7	1	2.1
Substantial reduction	242	20.0		*	—	*
Moderate reduction	574	47.4	167	49.7	17	36.2
Little/slight reduction	285	23.6	142	42.3	23	48.9
No reduction	93	7.7	18	5.4	6	12.8
TOTAL	1210	100.0	336	100.1	47	100.0

*Not included on the scale of possible responses for this questionnaire.

provements in the nation's system of criminal justice. SPA directors responding to the ACIR questionnaire estimated that on the average more than 60 percent of the activities supported with block grants have had a direct effect on the criminal justice system, whereas only 30 percent have directly impacted on crime.

Available evidence indicates that Safe Streets monies have not only upgraded traditional criminal justice activities but also have initiated new and innovative approaches to old problems. The program has provided fresh resources to an area too long underfinanced and focused public attention on a system too long neglected.

In order to probe the attitudes of SPA directors about the impact of the Safe Streets program on the criminal justice system, ACIR asked them to assess to what extent various improvements had occurred in their states since 1969. Of the 90 activities rated, 38 (42 percent) were viewed by almost all SPA directors (more than 90 percent) as having improved; and an additional 33 (37 percent) were said to have improved by at least three-fourths of the respondents. Only these areas were cited by fewer than half of the directors as making gains since 1969: the establishment of uniform plea bargaining procedures, the reduction of plea bargaining and the creation of family courts. Since two of these deal with plea bargaining, it seems reasonable to surmise that much of the lack of progress can be attributed to the controversial nature of the plea bargaining issue and the mixed opinion that currently prevails as to the desirability of this practice. On the other hand, eleven activities were cited by all of the SPA directors as having improved. These include: police equipment; police, judicial and correctional training; police communications; police-community relations; diversion of juvenile offenders; prosecutorial services; crime laboratories; police detection and use of evidence; and alternatives to incarceration.

The SPA directors were also asked to identify those areas of improvement where the influence of Safe Streets funds had been the greatest. Only a few activities were not affected by block grants in the view of more than half of these officials. These were the decrease of police corruption (59 percent) decriminilization of drunkeness (59 percent), improvement of street lighting (63 percent) and revision of building codes (68 percent). Conversely, Safe Streets funds appear to have had the greatest influence on a handful of areas: police communication (90 percent), police training and education (82 percent), judicial training and education (80 percent), and the establishment of youth service bureaus (79 percent).

In most cases there is definite correlation between the extent of improvement and the influence of Safe Streets monies. Bearing in mind that these data reflect the opinion of SPA directors and not objective evidence, it appears, nevertheless, that many criminal justice improvements are largely the result of Safe Streets support. Table IV-24 indicates the areas cited by 90 percent or more of the respondents as having improved and shows the relative influence of block grants on each. Not surprisingly, it is in the law enforcement field that there seems to be the greatest relationship between improvements and the influence of Safe Streets funding, with police communications, training and crime laboratories rating highly on both scales. However, education and training activities in the court and corrections areas also appear to have been positively affected by the act. Improvements in the drug and alcohol abuse field appear to have been least influenced by Safe Streets operation. Although significant advances have been recorded, in the judgment of the SPA directors these gains cannot be attributed primarily to the program. It may be that the lack of Safe Streets influence in the drug and alcohol abuse area is in part a result of the availability of other Federal and state funding sources for programs of this type.

It also appears that some general types of activities have been more affected by the program than others. For example, Safe Streets monies seem to have played a major role in providing training opportunities for all criminal justice personnel, whether police, courts or corrections. Conversely, block grants have had only limited impact on the improvement of police and court facilities, perhaps because so many SPAs have adopted policies restricting the possible uses of monies for construction or renovation of buildings.

Questionnaire replies from city and county officials generally corroborate the views of the SPA directors and on the whole indicate that Safe Streets funds have enabled local jurisdictions to make improvements in their criminal justice agencies that would not otherwise have been possible. Specific activities that were most frequently cited by the respondents include the acquisition of law enforcement equipment (particularly communications equipment), expanded education and training for criminal justice personnel, upgraded information systems and increased services for juveniles.

Thus, the survey data show that state and local

officials believe that the Safe Streets program has helped significantly to enhance the operational capacity of criminal justice agencies. Unfortunately, however, very little conclusive evidence exists by which to actually measure the impact of Safe Streets efforts, mainly because of the deficiencies in evaluation discussed earlier in this chapter.

One of the potential benefits of the Safe Streets program is the extent to which the comprehensive planning process fosters increased system integration. Participants in the program frequently mentioned that state, regional and local planning mechanisms have helped to increase inter-functional and jurisdictional communication and coordination.

Table IV-24

Views of SPA Directors Regarding Criminal Justice Improvements and the Influence of Safe Streets Funds

October 1975

Criminal Justice Improvement	Some Improvement		Influence of Safe Streets Funds	
	No.	%	No.	%
Police				
Updated equipment inventory of police departments	51	100	33	65
Improved police education and training	51	100	42	82
Improved police communications capacity	51	100	46	90
Improved organization of police departments	49	96	16	33
Improved police response time	50	98	15	30
Better detection and use of evidence	51	100	22	43
Improved police facilities	46	90	9	20
Increased police planning, research and evaluation	50	98	18	36
Improved crime laboratories	51	100	37	73
Courts				
Criminal code revision	47	94	23	49
Strengthened office of court administrator	47	92	27	57
Pretrial release alternatives	45	94	19	42
Judicial training and education	50	100	40	80
Increased prosecutorial services	48	100	26	54
Increased public defender services	46	90	29	63
Improved prosecution and defense training	49	96	34	69
Increased diversion of juveniles	50	98	34	68
Improved court facilities	45	90	10	22
Corrections				
Improved existing correctional institutions	49	96	20	41
Increased training for correctional personnel	50	100	37	74
Improved diagnostic and classification services	48	96	22	46
Increased treatment alternatives	48	96	33	69
Expanded community-based alternatives	45	92	32	71
Improved probation and parole services	47	96	26	56
Improved educational opportunities for inmates	47	94	19	40
Increased use of work-release programs	50	98	19	38
Juvenile Delinquency				
Improved treatment of juvenile offenders	49	98	24	49
Increased diversion of juveniles	50	100	30	60
Expanded counseling and referral services for juveniles	49	98	30	61
Established half-way houses for juveniles	47	94	25	53
Improved police handling of juveniles	48	96	18	38
Expanded alternatives to incarceration of juveniles	51	100	32	63
Drugs and Alcohol				
Improved and expanded crisis intervention	45	90	5	11
Increased drug and alcohol abuse education	47	96	3	6
Community Crime Prevention				
Established hot lines	46	94	2	4
Expanded volunteer program	47	94	21	45
Expanded police community relations	50	100	21	42
Improved street lighting	46	92	6	13
Improved burglary prevention	48	94	18	38

Table IV-25

Views of SPA Directors Regarding Long-Range Role of SPAs

October 1975

	Police	Courts	Corrections	Juvenile Delinquency	Drug and Alcohol Abuse	Law Reform
	%	%	%	%	%	%
Primary force for change	46	22	56	44	12	12
One of several groups working for change	64	70	62	76	78	76
Coordinating and legitimizing other group efforts	46	50	52	62	38	42
Disseminating information on new approaches	82	78	76	78	58	58
Source of funding to support other agencies' efforts to modernize	80	80	86	78	58	54
Source of funding to supplement inadequate state and local resources	54	46	52	52	40	30

Some Safe Streets-funded activities are specifically aimed at this objective; for example, the establishment of criminal justice information systems. All but one of the SPA directors responding to the ACIR survey indicated that to some extent the various components of the criminal justice system are beginning to view themselves and to function as part of a highly integrated and interdependent system. However, almost half of these officials cited the courts as being the most resistant to this trend. Lack of participation by the courts may reflect both the separation of powers principle as well as the low level of involvement of the courts in the Safe Streets program in its early years. Almost all SPA directors (96 percent) said that Safe Streets funds had played an important or crucial role in encouraging a more systemized and coordinated approach to criminal justice problems and all but one (98 percent) rated the role of SPA staff as either important or crucial.

Finally, to what extent have the efforts set in motion by the Safe Streets program resulted in the establishment of a planning capacity at the state and regional levels that transcends the boundaries of a Federal grant-in-aid program? As can be seen in Table IV-25, most SPA directors do not see their agency's long-range role as simply planning for and administering Safe Streets funds. However, it appears highly uncertain whether or not the planning structures set up by Safe Streets would continue in the absence of Federal financial support. When asked to rate the likelihood of their SPA continuing to operate without Safe Streets, no SPA directors replied that it would certainly receive state funding.

RPUs agreed with this assessment; 94 percent said criminal justice agencies had begun to see themselves as part of a highly integrated system and 91 percent thought they had begun to function in an interdependent manner to some degree. However, few of the SPA (21 percent) or RPU (20 percent) respondents rated the extent of integration as "very much." Seventeen percent said that it was likely the SPA would continue to function (though possibly at a reduced level); 42 percent answered, "possibly;" 23 percent said "unlikely;" and 17 percent thought it was "very doubtful." The future for regional planning units appears to be even darker, if the Safe Streets program should end. No SPA directors felt it was certain that RPUs would survive. Eight percent thought it was likely; 12 percent answered "possibly;" 50 percent said "unlikely;" and 29 percent thought it was "very doubtful."

SUMMARY

This chapter has reviewed the state-of-the-art with respect to the organization and conduct of Safe Streets planning at the state, regional and local levels. It also has reviewed the status of evaluation and monitoring efforts and the impact of planning activities. Several long-standing criticisms of the program have been addressed; some have been refuted;

others, confirmed. In addition, several newer issues surrounding Safe Streets operations have been raised. Following are some of the major findings emerging from this chapter.

- Little comprehensive criminal justice planning was being conducted at the state, regional, or local levels prior to enactment of the Safe Streets Act.

- All states geared up organizationally for Safe Streets planning in a short time period. After seven years, however, most SPAs have not shed their image as planner for and dispenser of Federal aid. Limited gubernatorial and legislative involvement, insufficient authority vis-a-vis other state agencies and high rates of executive director turnover have inhibited SPAs from becoming more integral parts of the state-local criminal justice system.

- The relative amount of functional representation on SPA supervisory boards has remained fairly constant since 1970.

- A total of 445 regional planning units have been established in 43 states, more than half of which were created specifically for criminal justice planning. Almost all RPUs perform or coordinate planning and review of grant applications; 87 percent prepare an annual plan.

- Although most RPU and local officials believe that no single group is overrepresented on regional supervisory boards, police representatives were identified as the most influential in board decisions. With respect to local elected official representation, views were mixed. About one-third of both RPU and local officials and 15 SPA directors thought the 1973 amendment to the act requiring RPU boards to consist of a majority of officials of this type had produced no effect.

- State, regional and local officials generally believe that the amounts of Part B planning funds made available to their agencies or units have been inadequate.

- The impact of the 1973 amendment authorizing cities and counties, or combinations thereof, to submit plans to SPAs for funding in whole or in part has been limited, leaving officials in many of the nation's largest local governments dissatisfied.

- Annual plan submission requirements, delays in guideline issuance by LEAA, a high rate of continuation funding, an emphasis on fund distribution and a lack of authority to plan for the state-local criminal justice system result in many SPAs' developing project-specific, short-term plans that are not the result of data analysis. These factors inhibit SPAs from gaining credibility in planning and fulfilling the ambitious role intended by the Congress.

- Two-fifths of the states with RPUs have decentralized substantial authority to these bodies in planning and funding matters. Yet, many SPAs remain skeptical about regional planning and decision-making capacities. Most local governments, however, rate their RPU's planning as either highly developed or adequate.

- Two-fifths of the city and county officials surveyed reported that the state comprehensive plan reflected and incorporated local needs and priorities to a very limited degree or not at all, as compared with one-fourth who thought this way about RPU plans.

- Most states have experienced few problems with LEAA's standard functional categories largely because of the 15 percent allowable adjustment of funds among categories. RPUs, however, feel that Federal and state categories limit their discretion.

- Despite heightened interest at all levels, evaluation activities have produced only limited results to date, partly because of inadequate resources.

- SPAs generally find LEAA regional offices to be helpful in performing their responsibilities. A major object of complaints is LEAA guidelines, which are considered restrictive, incomplete, repetitive and overly detailed. In some states, complaince with guideline requirements leaves little time for comprehensive planning. Yet most of the changes and additions from year to year in the guidelines are not initiated by LEAA, but rather are a reaction to congressional amendments of the act, the passage of new legislation not a part of the Safe Streets program and the issuance of guidelines and circulars by other executive-branch agencies.

- Although the Safe Streets program has not reduced crime, state, regional and local officials concur that block grants have had some effect in slowing the rise in crime rates and a major impact on improving the criminal justice system.

With the above as background, it is useful to probe in greater depth an area of Safe Streets implementation that has been a major source of controversy throughout the seven-year life of the program—the distribution of funds. Several of the points made in this chapter concerning the decision-making processes in planning will gain significance with the discussion of the results of this activity—resource allocation—in the next chapter.

FOOTNOTES

[1]Advisory Commission on Intergovernmental Relations, *Making the Safe Streets Act Work: An Intergovernmental Challenge* (Washington, D.C.: Government Printing Office, 1970), p. 23.

[2]U.S. Department of Justice, Law Enforcement Assistance Administration, *Guideline Manual: State Planning Agency Grants*, M4100.1D, March 21, 1975, p. 10.

[3]*Ibid.*, p. 5.

[4]ACIR, *Making the Safe Streets Act Work*, p. 23.

[5]*Omnibus Crime Control and Safe Streets Act of 1968*, 82 Stat. 197, sec. 203(b) (1968).

[6]LEAA, *Guideline Manual: State Planning Agency Grants*, p. 7.

[7]*Ibid.*, p. 8.

[8]*Ibid.*, p. 10.

[9]ACIR, *Making the Safe Streets Act Work*, p. 23.

[10]John F. X. Irving, Henry V. Pennington, and Peter Haynes, *Report of the Special Study Team on LEAA Support of the State Courts*, Criminal Courts Technical Assistance Project, The American University (Washington, D.C., 1975), p. 22.

[11]LEAA, *Guideline Manual: State Planning Agency Grants*, p. 29.

[12]ACIR, *Making the Safe Streets Act Work*, p. 33.

[13]U.S. Department of Justice, Law Enforcement Assistance Administration, *Guide for Comprehensive Law Enforcement Planning and Action Grants, FY 1970*, p. 29.

[14]LEAA, *Guideline Manual: State Planning Agency Grants*, p. 29.

[15]*Ibid.*, p. 33.

[16]National League of Cities-U.S. Conference of Mayors, *Criminal Justice Coordinating Councils*, 1971, p. 23.

[17]*Omnibus Crime Control and Safe Streets Act*, 82 Stat. 197, sec. 202(c) (1971).

[18]National League of Cities-U.S. Conference of Mayors, *1975 Survey Report on Local Criminal Justice Planning*, p. 13.

[19]National League of Cities-U.S. Conference of Mayors, *Criminal Justice Coordinating Councils*, p. 5. 97

[20]*Ibid.*, p. 2.

[21]U.S. Department of Justice, Law Enforcement Assistance Administration, Office of General Counsel, Legal Opinion 75-54, May 1975.

[22]National League of Cities-U.S. Conference of Mayors, *1975 Survey Report on Local Criminal Justice Planning*, p. 7.

[23]LEAA, Office of General Counsel, Legal Opinion 75-54.

[24]National League of Cities-U.S. Conference of Mayors, *1975 Survey Report on Local Criminal Justice Planning*, p. 17.

[25]LEAA, Office of General Counsel, Legal Opinion 75-54.

[26]Abt. Associates, Inc., *An Assessment of State Planning for High Crime Areas*, prepared for Law Enforcement Assistance Administration, Office of Planning and Management, December 8, 1975, p. 15.

[27]National League of Cities-U.S. Conference of Mayors, *1975 Survey Report on Local Criminal Justice Planning*, p. 49.

[28]LEAA, *Guideline Manual: State Planning Agency Grants*, pp. 20-25.

[29]The Urban Institute, *Intensive Evaluation for Criminal Justice Planning Agencies* (Washington, D.C.: The Urban Institute, 1975), p. 30.

[30]*Ibid.*

[31]National League of Cities-U.S. Conference of Mayors, *1975 Survey Report on Local Criminal Justice Planning*, p. 38.

[32]U.S. General Accounting Office, *Difficulties of Assessing Results of Law Enforcement Assistance Administration Project to Reduce Crime*, March 1974, pp. 3-4.

[33]U.S. Executive Office of the President, Office of Management and Budget, *The Budget of the United States Government, FY 1977*, p. 55.

[34]U.S. Department of Justice, Law Encorcement Assistance Administration, Office of General Counsel, Legal Opinion 74-43, Nov. 19, 1973.

APPENDIX IV-1

Source of Authority for State Planning Agencies

May 1975

State Statute (20)

- Alaska
- California
- Colorado
- Idaho
- Indiana
- Iowa
- Kansas
- Kentucky
- Maine
- Massachusetts
- Montana
- Nebraska
- Nevada
- New York
- North Carolina
- Oregon
- Virginia
- Wyoming
- Puerto Rico
- Virgin Islands

Governor's Executive Order (35)

- Alabama
- Arizona
- Arkansas
- Connecticut
- Delaware
- District of Columbia
- Florida
- Georgia
- Hawaii
- Illinois
- Louisiana
- Maryland
- Michigan
- Minnesota
- Mississippi
- Missouri
- New Hampshire
- New Jersey
- New Mexico
- North Dakota
- Ohio
- Oklahoma
- Pennsylvania
- Rhode Island
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Vermont
- Washington
- West Virginia
- Wisconsin
- American Samoa
- Guam

Source: FY 1976 state planning agency planning grant applications, submitted May 1975.

APPENDIX IV-2

State Match of Part B Allocation (15-Month Budget FY 1976)

State	Part B Allocation	State Match*	State Match* as a Percent of Part B
	$	$	%
Alabama	1,220,000	103,778	13.8
Alaska	340,000	229,170	46.0
Arizona	817,000	97,350	16.6
Arkansas	806,000	53,733	10.0
California	5,901,000	365,792	10.0
Colorado	925,000	61,667	10.0
Connecticut	1,093,000	72,859	10.0
Delaware	407,000	157,442	29.0
District of Columbia	451,000	58,115	11.4
Florida	2,370,000	174,828	10.0
Georgia	1,568,000	101,341	10.0
Hawaii	481,000	87,375	21.0
Idaho	463,000	224,665	44.7
Illinois	3,309,000	878,970	32.2
Indiana	1,702,000	109,171	10.0
Iowa	1,033,000	89,405	10.0
Kansas	869,000	53,628	10.0
Kentucky	1,161,000**	404,398**	40.3
Louisiana	1,275,000	174,331	16.0
Maine	534,000	45,398	12.4
Maryland	1,365,000	102,830	10.0
Massachusetts	1,837,000	513,432	30.0
Michigan	2,730,000	242,667	10.0
Minnesota	1,314,000	73,000	10.0
Mississippi	884,000	98,222	10.0
Missouri	1,554,000	73,680	11.9
Montana	450,000	55,648	11.0
Nebraska	670,000	46,040	10.3
Nevada	401,000	109,432	31.3
New Hampshire	468,000	31,200	10.0
New Jersey	2,254,000	200,355	10.0
New Mexico	551,000	183,222	35.7
New York	5,234,000	316,099	10 0
North Carolina	1,700,000	110,598	10.0
North Dakota	424,000	66,330	20.7
Ohio	3,190,000	212,667	10.0
Oklahoma	980,000	65,333	10.0
Oregon	857,000	55,185	10.5
Pennsylvania	3,495,000	1,511,000	44.3
Rhode Island	515,000	62,372	11.1
South Carolina	995,000	88,445	10.0
South Dakota	437,000	37,004	13.6
Tennessee	1,371,000	121,867	10.0
Texas	3,487,000	199,508	10.0
Utah	565,000**	68,400**	17.2
Vermont	377,000	41,889	10.0
Virginia	1,576,000	406,154	25.2
Washington	1,189,000	82,267	10.0
West Virginia	740,000	82,223	10.0
Wisconsin	1,492,000	99,467	10.0
Wyoming	346,000	24,988	10.0
American Samoa	258,000	25,800	11.0
Guam	275,000	0	13.7***
Puerto Rico	1,024,000	115,788	10.2
Virgin Islands	270,000	30,000	10.0

*State match for state activities is computed as follows:

STATE MATCH

Part B Allocation—Pass-through + State Match—State Buy-in for Local Program

**12-month budget.

***All match provided at the local level.

Source: FY 1976 state planning agency planning grant applications, submitted May 1975.

APPENDIX IV-3

Composition of State Supervisory Boards by Governmental Level and Sector

States	Total[1] Government	State[2] Government		Local Government		Public	
	No.	No.	%	No.	%	No.	%
UNITED STATES, TOTAL	1,439	531	36.9	573	39.8	335	23.3
Alabama	50	9	18.0	27	54.0	14	28.0
Alaska[3]	11	7	63.6	1	9.1	3	27.3
Arizona	20	6	30.0	12	60.0	2	10.0
Arkansas	17	7	41.2	8	47.1	2	11.8
California[4]	26	8	30.8	16	61.5	2	7.7
Colorado	22	9	40.9	10	45.5	3	13.6
Connecticut	22	11	50.0	5	22.7	6	27.3
Delaware	45	19	42.2	14	31.1	12	26.7
District of Columbia[5]	29	18	62.1	0	—	11	37.9
Florida	35	20	57.1	12	34.3	3	8.6
Georgia	37	15	40.5	12	32.4	10	27.0
Hawaii	15	3	20.0	10	66.7	2	13.3
Idaho[6]	23	11	47.8	8	34.8	4	17.4
Illinois	26	6	23.1	10	38.5	10	38.5
Indiana	13	4	30.8	8	61.5	1	7.7
Iowa[7]	27	10	37.0	8	29.6	9	33.3
Kansas	29	13	44.8	11	37.9	5	17.2
Kentucky[8]	60	21	35.0	20	33.3	19	31.7
Louisiana	59	16	27.1	37	62.7	6	10.2
Maine	27	10	37.0	17	62.9	0	—
Maryland	30	13	43.3	12	40.0	5	16.7
Massachusetts	41	11	26.8	20	48.8	10	24.4
Michigan	75	22	29.3	29	38.7	24	32.0
Minnesota	26	5	19.2	13	50.0	8	30.8
Mississippi	18	9	50.0	5	27.8	4	22.2
Missouri	20	8	40.0	5	25.0	7	35.0
Montana	16	8	50.0	6	37.5	2	12.5
Nebraska	22	6	27.3	9	40.9	7	31.8
Nevada	17	6	35.3	11	64.7	0	—
New Hampshire	32	5	15.6	12	37.5	15	46.9
New Jersey	17	9	52.9	6	35.3	2	11.8
New Mexico	17	7	41.2	9	52.9	1	5.9
New York[9]	26	7	26.9	12	46.2	7	26.9
North Carolina[10]	26	12	46.2	12	46.2	2	7.7
North Dakota	31	13	41.9	18	58.1	0	—
Ohio[11]	35	13	37.1	14	40.0	8	22.9
Oklahoma	39	6	15.4	14	35.9	19	48.7
Oregon	18	1	5.6	9	50.0	8	44.4
Pennsylvania	12	5	41.7	5	41.7	2	16.7
Rhode Island	21	12	57.1	3	14.3	6	28.6
South Carolina	24	9	37.5	9	37.5	6	25.0
South Dakota	18	9	50.0	9	50.0	0	—
Tennessee	21	8	38.1	10	47.6	3	14.3
Texas	20	5	25.0	11	55.0	4	20.0
Utah	20	7	33.0	9	45.0	4	20.0
Vermont	20	8	40.0	4	20.0	8	40.0
Virginia	18	12	66.7	4	22.2	2	11.1
Washington	29	7	24.1	13	44.8	9	31.0
West Virginia	32	16	50.0	8	25.0	8	25.0
Wisconsin	30	8	26.7	11	36.7	11	36.7
Wyoming	26	8	30.8	12	46.1	6	23.1
Guam[12]	8	6	75.0	0	—	2	25.0
Puerto Rico[13]	10	7	70.0	0	—	3	30.0
Virgin Islands[14]	16	12	75.0	0	—	4	25.0
American Samoa	15	8	53.3	3	20.0	4	26.7

(For footnotes, see next page.)

[1]Totals do not include vacancies, observers or non-voting members.
[2]State legislators included under "State" category.
[3]Two vacancies.
[4]Data submitted Aug. 20, 1975.
[5]One Federal judge and one Federal attorney included in "State" total.
[6]Two ex officio Federal representatives also members.
[7]Four vacancies.
[8]One non-voting Federal representative also a member.
[9]Three vacancies and one non-voting member.
[10]Three non-voting members.
[11]Five vacancies.
[12]One vacancy.
[13]One vacancy and one observer.
[14]Four vacancies.

Source: FY 1976 state planning agency planning grant applications.

APPENDIX IV-3.1

Composition of State Supervisory Boards by Primary Functional Interest[1]

	Total		Courts[2]		Police[3]		Corrections[4]		Juvenile Justice[5]		Other[6]	
	No.	%	No.	%	No.	%	Nc.	%	No.	%	No.	%
UNITED STATES, TOTAL	825	57.3	303	21.1	291	20.2	117	8.1	103	7.1	11	.8
Alabama	25	50.0	9	18.0	9	18.0	2	4.0	5	10.0	—	—
Alaska	8	72.7	5	45.5	2	18.2	1	9.1	0	—	—	—
Arizona	10	50.0	6	30.0	3	15.0	1	5.0	0	—	—	—
Arkansas	15	88.2	4	23.5	5	29.4	3	17.7	3	17.7	—	—
California	17	65.4	7	26.9	7	26.9	2	7.7	1	3.9	—	—
Colorado	14	63.6	5	22.7	7	31.8	1	4.5	1	4.5	—	—
Connecticut	12	54.5	4	18.2	4	18.2	2	9.1	2	9.1	—	—
Delaware	20	44.5	7	15.6	7	15.6	2	4.4	3	6.7	1	2.2
District of Columbia[7]	10	34.5	6	20.7	1	3.5	2	6.9	1	3.5	—	—
Florida	20	5[illegible].1	7	20.0	7	20.0	4	11.4	2	5.7	—	—
Georgia	27	73.0	8	21.6	8	21.6	3	8.1	6	16.2	2	5.4
Hawaii	8	53.3	4	26.7	3	20.0	1	6.7	0	—	—	—
Idaho	13	56.5	6	26.1	4	17.4	1	4.4	2	8.7	—	—
Illinois	18	69.2	4	15.4	9	34.6	3	11.5	0	—	2	7.7
Indiana	8	61.5	4	30.8	2	15.4	2	15.4	0	—	—	—
Iowa	13	48.1	6	22.2	5	18.5	1	3.7	1	3.7	—	—
Kansas	13	44.8	6	20.7	4	13.8	3	10.4	0	—	—	—
Kentucky	30	63.3	15	25.0	12	20.0	5	8.3	6	10.0	—	—
Louisiana	48	81.4	15	25.4	24	40.7	3	5.1	6	10.2	—	—
Maine	15	55.6	3	11.1	8	29.6	1	3.7	3	11.1	—	—
Maryland	19	63.3	9	30.0	4	13.3	2	6.7	4	13.3	—	—
Massachusetts	28	68.3	16	39.0	8	19.5	3	7.3	1	2.4	—	—
Michigan	26	34.7	9	12.0	11	14.7	3	4.0	3	4.0	—	—
Minnesota	17	65.4	7	26.9	5	19.2	5	19.2	0	—	—	—
Mississippi	10	55.6	3	16.7	4	22.2	2	11.1	1	5.6	—	—
Missouri	12	60.0	4	20.0	3	15.0	3	15.0	2	10.0	—	—
Montana	10	62.5	4	25.0	3	18.8	2	12.5	1	6.3	—	—
Nebraska	12	54.6	5	22.7	3	13.6	2	9.1	2	9.1	—	—
Nevada	14	82.4	5	29.4	6	35.3	2	11.8	1	5.9	—	—
New Hampshire	19	59.4	4	12.5	9	28.1	4	12.5	2	6.3	—	—
New Jersey	8	47.1	3	17.7	4	23.5	1	5.9	0	—	—	—
New Mexico	12	70.6	4	23.5	2	11.8	2	11.8	4	23.5	—	—
New York	15	57.7	5	19.2	4	15.4	3	11.5	1	3.9	2	7.7
North Carolina	15	57.7	5	19.2	5	19.2	5	19.2	0	—	—	—
North Dakota	19	61.3	4	12.9	7	22.6	4	12.9	4	12.9	—	—
Ohio	13	37.2	4	11.4	7	20.0	1	2.9	1	2.9	—	—
Oklahoma	21	53.8	6	15.4	8	20.5	2	5.1	5	12.8	—	—
Oregon	8	44.4	3	16.7	4	22.2	0	—	1	5.6	—	—
Pennsylvania	6	50.0	3	25.0	2	16.7	1	8.3	0	—	—	—
Rhode Island	11	52.4	7	33.3	3	14.3	1	4.8	0	—	—	—

South Carolina	18	75.0	3	12.5	6	25.0	2	8.3	7	29.2	—	—
South Dakota	11	61.1	4	22.2	3	16.7	2	11.1	2	11.1	—	—
Tennessee	13	61.9	6	28.6	5	23.8	1	4.8	1	4.8	—	—
Texas	12	60.0	6	30 0	5	25.0	1	5.0	—	—	—	—
Utah	9	45.0	3	15.0	4	20.0	1	5.0	1	5.0	—	—
Vermont	10	50.0	4	20.0	3	15.0	1	5.0	2	10.0	—	—
Virginia	12	66.7	7	38.9	3	16.7	2	11.1	0	—	—	—
Washington	12	41.4	4	13.8	5	17.2	2	6.9	1	3.5	—	—
West Virginia	29	90.6	5	15.6	7	21.9	7	21.9	7	21.9	3	9.4
Wisconsin	19	63.3	8	26.7	6	20.0	2	6.7	3	10.0	—	—
Wyoming	13	50.0	5	19.2	6	23.1	2	7.7	0	—	—	—
Guam	4	50.0	1	12.5	1	12.5	1	12.5	1	12.5	—	—
Puerto Rico	5	50.0	2	20.0	1	10.0	0	—	1	10.0	1	10.0
Virgin Islands	8	50.0	2	12.5	2	12.5	2	12.5	2	12.5	—	—
American Samoa	3	20.0	2	13.3	1	6.7	0	—	0	—	—	—

[1]Percentages are based on total membership of supervisory boards.
[2]"Courts" includes judges (except juvenile court judges), court administrators, attorneys general, public defenders, prosecutors and private attorneys when noted by a state as representing the courts sector.
[3]"Police" includes local sheriffs.
[4]"Corrections" includes probation and parole.
[5]"Juvenile Justice" includes juvenile court judges and officers.
[6]"Other" includes representatives of drug prevention agencies, community relations programs, etc.
[7]District of Columbia has one Federal judge and one Federal attorney as members of its board, counted as representing "State" government.

Source: FY 1976 state planning agency planning grant applications.

APPENDIX IV-3.2
Local Membership Composition on State Supervisory Boards: October 1975

	Total Local	Executive		Administrative[1]		Legislative		Criminal Justice		Other[2]	
	No.	No.	%	No.	%	No.	%	No.	%	No.	%
UNITED STATES, TOTAL	573	69	12.0	19	3.3	68	11.9	390	68.1	27	4.7
Alabama	27	7	26.0			1	3.7	19	70.3		
Alaska	1							1	100.0		
American Samoa	3	1	33.3	1	33.3			1	33.3		
Arizona	12	2	16.7	1	8.3	4	33.3	5	41.7		
Arkansas	8	1	12.5					7	87.5		
California	16					5	31.3	11	68.8		
Colorado	10	1	10.0	1	10.0	1	10.0	7	70.0		
Connecticut	5	1	20.0					4	80.0		
Delaware	14	5	35.7	2	14.3	1	7.2	5	35.3	1	7.2
District of Columbia[3]	NA										
Florida	12	1	8.3			3	25.0	8	66.6		
Georgia	12	3	25.0			2	16.7	7	58.3		
Guam	0										
Hawaii	10	4	40.0			1	10.0	5	50.00		
Idaho	8	1	12.5			2	25.0	5	62.5		
Illinois	10	1	10.0					9	90.0		
Indiana	8	3	37.5					5	62.5		
Iowa	8			1	12.5			6	75.0	1	12.5
Kansas	11	1	9.1			5	45.5	5	45.5		
Kentucky	20	1	5.0	1	5.0	1	5.0	17	85.0		
Louisiana	37	3	8.1			2	5.4	32	86.4		
Maine	17					2	11.8	11	64.7	4	23.5
Maryland	12	2	16.7			3	25.0	7	58.3		
Massachusetts	20	1	5.0	1	5.0	1	5.0	17	85.0		
Michigan	29	2	6.9			6	20.7	19	65.6	2	6.9
Minnesota	13	1	7.7			2	15.4	10	76.9		
Mississippi	5	1	20.0			1	20.0	3	60.0		
Missouri	5	1	20.0					4	80.0		
Montana	6	1	16.7			1	6.7	4	66.7		
Nebraska	9			1	11.1	1	11.1	7	77.8		
Nevada	11	1	9.1			1	9.1	9	81.8		
New Hampshire	12					1	8.3	11	91.7		
New Jersey	6	3	50.0					3	50.0		
New Mexico	9	1	11.1			3	33.3	5	55.6		
New York	12	3	25.0					8	66.7	1	8.3
North Carolina	12			2	16.7			7	58.3	3	25.0
North Dakota	18	3	16.7			1	5.6	10	55.6	4	22.2
Ohio	14	2	14.3	1	7.1	2	14.3	8	57.1	1	7.1
Oklahoma	14	3	21.4					11	78.6		
Oregon	9			1	11.1	1	11.1	7	77.8		
Pennsylvania	5					1	20.0	4	80.0		
Puerto Rico	0								0		
Rhode Island	3							3	100.0		
South Carolina	9	1	11.1	1	11.1			6	66.7	1	11.1
South Dakota	9					1	11.1	5	55.6	3	33.3
Tennessee	10	1	10.0					8	80.0	1	10.0
Texas	11			2	18.2	1	9.1	8	72.8		
Utah	9	1	11.1			4	44.4	4	44.4		
Vermont	4	1	25.0					3	75.0		
Virginia	4			1	25.0	1	25.0	2	50.0		
Virgin Islands	0								0		
Washington	13	2	15.4			3	23.1	8	61.5		
West Virginia	8	2	25.0			1	12.5	5	62.5		
Wisconsin	11			1	9.1	1	9.1	9	81.8		
Wyoming	12			1	8.3	1	8.3	5	41.7	5	41.7

[1]"Administrative" includes local government staff and staff of state associations of local government officials.

[2]"Other" includes private attorneys, officials of local organizations, etc., who might otherwise be considered "public" members but who are classified by a state as a "local" member.

[3]District of Columbia has one Federal judge and one Federal attorney as members of its board, counted as representing state government.

Source: FY 1976 state planning agency planning grant applications.

APPENDIX IV-4
State Planning Agency Staff

States	Professional				Clerical				Total		Authorized		
	Full-time		Part-time		Full-time		Part-time				Profes-sional	Clerical	Total
	No.	%	No.	%	No.	%	No.	%	No.	%			
UNITED STATES, TOTAL	1424.8	68.3	33	1.6	549.0	28.7	30.5	1.5	2087.3	100.1	1539.8	676.6	2216.4
Alabama	27	77.1	0	—	8	22.9	0	—	35	100.0	27	8	35
Alaska	8	76.2	0	—	2	19.1	.5	4.8	10.5	100.1	8	2.5	10.5
Arizona	18	78.3	0	—	5	21.7	0	—	23	100.0	18	5	23
Arkansas	22	73.3	0	—	8	26.7	0	—	30	100.0	22	9	31
California	66*	57.9	0	--	48	42.1	0	—	114	100.0	80	57.5	137.5
Colorado	16	72.7	0	—	6	27.3	0	—	22	100.0	19	7	26
Connecticut	23	53.5	5	11.6	12	27.9	3	6.9	43	99.9	29	14	43
Delaware	17	81.0	0	—	4	19.0	0	—	21	100.0	17	4	21
District of Columbia	29	72.5	0	—	11	27.5	0	—	40	100.0	35	11	46
Florida	42	60.9	1	1.4	23	33.3	3	4.4	69	100.0	43	26	69
Georgia	24	68.6	0	—	11	31.4	0	—	35	100.0	27	11	38
Guam	12	75.0	0	—	4	25.0	0	—	16	100.0	12	4	16
Hawaii	6	54.6	1	9.1	4	36.4	0	—	11	100.1	8	4	12
Idaho	13	65.0	1	5.0	6	30.0	0	—	20	100.0	15	6	21
Illinois	58	69.0	0	—	24	28.6	2	2.4	84	100.0	58	26	84
Indiana	23	60.5	1	2.6	14	38.8	0	—	38	99.9	24	14	38
Iowa	20	80.0	0	—	5	20.0	0	—	25	100.0	20	5	25
Kansas	15	65.2	0	—	8	34.8	0	—	23	100.0	16	8	24
Kentucky	30	75.0	0	—	10	25.0	0	—	40	100.0	37	13	50
Louisiana	26	68.4	0	—	12	31.6	0	—	38	100.0	27	12	39
Maine	25	71.4	2	5.7	8	22.9	0	—	35	100.0	27	8	35
Maryland	29	74.4	1	2.6	9	23.1	0	—	39	100.1	29	9	38
Massachusetts	52	73.2	1	1.4	18	25.4	0	—	71	100.0	53	18	71
Michigan	42	73.7	0	—	15	26.3	0	—	57	100.0	45	15	60
Minnesota	28	80.0	0	—	7	20.0	0	—	35	100.0	29	7	36
Mississippi	17	54.8	0	—	14	45.2	0	—	31	100.0	20	14	34
Missouri	23	74.2	0	—	8	25.8	0	—	31	100.0	23	8	31
Montana	12	54.6	4	18.2	2	9.1	4	18.2	22	100.1	16	6	22
Nebraska	18	78.3	0	—	5	21.7	0	—	23	100.0	19	6	25
Nevada	12	60.0	0	—	6	30.0	2	10.0	20	100.0	12	8	20
New Hampshire	10	62.5	0	—	6	37.5	0	—	16	100.0	10	6	16
New Jersey	45	67.2	0	—	22	32.8	0	—	67	100.0	50	25	75
New Mexico	13	54.2	0	—	10	41.7	1	4.2	24	100.1	13	11	24
New York	44	65.7	0	—	23	34.3	0	—	67	100.0	49	24	73
North Carolina	35	68.6	1	2.0	13	25.5	2	3.9	51	100.0	37	16	53
North Dakota	11	64.7	0	—	6	35.3	0	—	17	100.0	11	6	17
Ohio	55	66.3	0	—	28	33.7	0	—	83	100.0	66	35	101
Oklahoma	20	66.7	0	—	10	33.7	0	—	30	100.0	21	13	34
Oregon	26	86.7	0	—	4	13.3	0	—	30	100.0	28	5	33
Pennsylvania	58	67.4	0	—	28	32.6	0	—	86	100.0	59	34	93
Rhode Island	22	66.7	2	6.1	6	18.2	3	9.1	33	100.1	24	9	33
South Carolina	19.8	62.2	0	—	9	28.4	3	9.4	31.8	100.0	23.8	14	37.8
South Dakota	10	71.4	0	—	3	21.4	1	7.2	14	100.0	10	3.6	13.6
Tennessee	29	76.3	0	—	9	23.7	0	—	38	100.0	29	9	38
Texas	56	74.7	0	—	17	22.7	2	2.7	75	100.1	61	22	83
Utah	18	62.1	6	20.7	5	17.2	0	—	29	100.0	24	6	30
Vermont	14	71.8	0	—	5	25.6	.5	2.6	19.5	100.0	14	5.5	19.5
Virginia	37	60.7	5	8.2	19	31.2	0	—	61	100.1	37	19	56
Washington	25	75.8	0	—	8	24.2	0	—	33	100.0	25	8	33
West Virginia	29	74.4	1	2.6	9	23.1	0	—	39	100.1	32	12	44
Wisconsin	28	69.1	0	—	12	29.6	.5	1.2	40.5	99.9	29	13.5	42.5
Wyoming	9	69.2	1	7.7	3	23.1	0	—	13	100.0	10	3	13
American Samoa	4	40.0	0	—	3	30.0	3	30.0	10	100.0	4	6	10
Puerto Rico	47	68.1	0	—	22	31.9	0	—	69	100.0	47	22	69
Virgin Islands	7	77.8	0	—	2	22.2	0	—	9	100.0	11	3	14

*When this material was submitted to LEAA, California was undergoing a major change in SPA staffing. Therefore, this number is not representative of the lower staffing levels which now exist in that state.

Source: FY 1976 state planning agency planning grant applications, submitted May 1975.

APPENDIX IV-5

Number of Criminal Justice Planning Regions

States	1975	1969
UNITED STATES, TOTAL	445	452
Alabama	7	7
Alaska	0	0
Arizona	6	3
Arkansas	8	5
California	21	13
Colorado	13	14
Connecticut	7	7
Delaware	0	0
District of Columbia	0	••
Florida	10	7
Georgia	18	18
Hawaii	4	4
Idaho	3	3
Illinois	19	35
Indiana	8	8
Iowa	7	0
Kansas	7	5
Kentucky	16	16
Louisiana	9	7
Maine	7	7
Maryland	5	5
Massachusetts	7	12
Michigan	14	11
Minnesota	7	7
Mississippi	5	11
Missouri	19	6
Montana	0	5
Nebraska	19	22
Nevada	3	3
New Hampshire	5	13
New Jersey	0	0
New Mexico	7	3
New York	7	15
North Carolina	17	22
North Dakota	6	0
Ohio	6	15
Oklahoma	11	14
Oregon	14	14
Pennsylvania	8	8
Rhode Island	0	9
South Carolina	10	10
South Dakota	6	7
Tennessee	9	8

	24	22
Texas	8	9
Utah	0	4
Vermont	22	13
Virginia	19	4
Washington	0	2
West Virginia	10	12
Wisconsin	7	7
Wyoming	0	•
Puerto Rico	0	•
Guam	0	•
Virgin Islands	0	•
American Samoa		

*States that did not respond to this question in the 1970 ACIR survey.

Source: Based on data from the 1970 ACIR survey and 1976 state planning agency grant applications, submitted May 1975.

APPENDIX IV-6

Regional Planning Unit Staff

	Professional				Clerical						
	Full-time		Part-time		Full-time		Part-time		Total		Total Authorized
	No.	%	Nc.	%	No.	%	No.	%	No.	%	No.
UNITED STATES, TOTAL	948	55.8	168.8	9.9	397	23.4	183.75	10.8	1697.55	99.9	1405.85
Alabama	8	33.3	0	0	16	66.6	0	0	24	100.0	24
Alaska	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Arizona	6	25.0	9	37.5	4	16.7	5	20.8	24	100.0	24
Arkansas	9	52.9	0	0	8	47.0	0	0	17	100.0	17
California	133	69.3	4	2.1	51	26.6	11	5.7	199	100.0	192
Colorado	15	65.2	0	—	8	34.8	0	—	23	100.0	23
Connecticut	15	68.2	0	0	7	31.8	0	0	22	100.0	24
Delaware	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
District of Columbia	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Florida	30	46.2	7	10.8	14	21.5	14	21.5	65	100.0	65
Georgia	18	43.4	11	26.8	3	7.3	9	21.9	41	100.0	41
Hawaii	6	50.0	0	0	3	25.0	3	25.0	12	100.0	12
Idaho	2	33.3	1	16.7	1	16.7	2	33.3	6	100.0	6
Illinois	46	76.6	2	3.3	25	41.6	5	8.3	78	100.1	6
Indiana	17	58.6	0	0	11	37.9	1	3.4	29	100.0	29
Iowa	23	71.9	1	3.1	8	25.0	0	0	32	100.0	N/A
Kansas	13	59.1	1	4.5	4	18.2	4	18.2	22	100.0	25
Kentucky	26	52.0	7	14.0	16	32.0	1	2.0	50	100.0	50
Louisiana	23	63.8	0	0	13	36.1	0	0	36	100.0	36
Maine	8	53.3	0	0	7	46.7	0	0	15	100.0	15
Maryland	10	50.0	3	15.0	3	15.0	4	20.0	20	100.0	20
Massachusetts	49	90.1	5	9.9	N/A		N/A		54	100.0	N/A
Michigan	47	72.3	0	0	18	27.7	0	0	65	100.0	70
Minnesota	34	75.5	0	0	11	24.5	0	0	45	100.0	45
Mississippi	4	57.1	0	0	3	42.8	0	0	7	100.0	78
Missouri	34	43.6	18	23.1	8	10.3	19	24.4	9	100.0	78
Montana	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Nebraska	5	27.6	10.1	55.8	3	16.6	0	0	18.1	0	18.1
Nevada	4	57.1	0	0	2	28.6	1	14.3	7	100.0	7
New Hampshire	6	54.4	0	0	4	36.4	1	9.1	11	100.0	13
New Jersey	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
New Mexico	12	50.0	2	8.3	6	25.0	4	16.6	24	100.0	24
New York	88	62.4	3	2.1	36	25.5	14	9.9	141	100.0	N/A
North Carolina	40	55.6	0	0	32	44.4	0	0	72	100.0	72
North Dakota	5	50.0	0	0	0	0	5	50.0	10	100.0	10
Ohio	42	71.2	2	3.3	15	25.4	0	0	59	100.0	59

Oklahoma	11	39.3	7	25.0	4	14.3	6	21.4	28	100.0	29
Oregon	12	35.3	8	23.5	0	0	14	41.2	34	100.0	34
Pennsylvania	28	63.6	0	0	16	36.4	0	0	44	100.0	44
Rhode Island	1	33.3	1	33.3	1	33.3	0	9	3	99.9	3
South Carolina	3	10.0	17	56.6	1	3.3	9	30.0	30	100.0	30
South Dakota	7	72.2	.2	2.1	2	20.6	0.5	5.2	9.7	100.0	N/A
Tennessee	12	27.3	21	47.7	7	15.9	4	9.1	44	100.0	44
Texas	33	40.7	20	24.7	11	13.6	17	20.9	81	100.0	84
Utah	8	34.8	5	21.7	2	8.7	8	34.8	23	100.0	23
Vermont	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Virginia	26	54.2	0	0	2	4.2	20	41.7	48	100.0	N/A
Washington	16	62.1	3.5	13.6	4	15.5	2.55	8.7	25.75	100.0	25.75
West Virginia	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Wisconsin	13	65.0	0	9	7	35.0	0	—	20	100.0	22
Wyoming	0	9	0	0	0	0	0	0	0	0	0
Virgin Islands	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Puerto Rico	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Guam	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
American Samoa	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

N/A = Not Applicable.

*Add approximately 285 for those authorization figures that were not available.

Source: FY 1976 state planning agency planning grant applications, submitted May 1975.

APPENDIX IV-7

Part B Funds Passed Through to Units of Local Government
FY 1976

States	Total Amount of Pass Through	Percent of State Part "B" Allocation
UNITED STATES, TOTAL	28,729,701	39.9
Alabama	569,597	46.7
Alaska	76,500	22.5
Arizona	326,800	40.0
Arkansas	322,400	40.0
California	2,739,667	46.0
Colorado	370,000	40.0
Connecticut	437,200	40.0
Delaware**	20,966	5.2
District of Columbia	N/A	N/A
Florida	1,101,586	46.5
Georgia	686,850	43.8
Hawaii	192,400	40.0
Idaho	185,200	40.0
Illinois	1,455,960	44.0
Indiana	766,951	45.1
Iowa	479,955	46.5
Kansas	386,343	44.5
Kentucky	467,444*	48.4
Louisiana	510,000	40.0
Maine	213,600	40.0
Maryland	505,050	37.0
Massachusetts	734,800	40.0
Michigan	1,092,000	40.0
Minnesota	657,000	50.0
Mississippi	WAIVER	—
Missouri	827,886	50.9
Montana	WAIVER	—
Nebraska	268,000	40.0
Nevada	160,000	40.0
New Hampshire	187,200	40.0
New Jersey	901,600	40.0
New Mexico	220,400	40.0
New York	2,389,111	45.6
North Carolina	712,118	41.9
North Dakota	169,600	40.0
Ohio	1,276,000	40.0
Oklahoma	392,000	40.0
Oregon	386,493	45.1
Pennsylvania	1,595,000	45.6
Rhode Island**	31,250	6.1
South Carolina	398,000	40.0
South Dakota	201,894	46.2

Tennessee	548,400	40.0
Texas	1,691,423	48.5
Utah	235,377*	41.7
Vermont	WAIVER	—
Virginia	643,150	40.8
Washington	478,600	40.2
West Virginia	WAIVER	—
Wisconsin	596,800	40.8
Wyoming**	121,100	35.0
Guam	WAIVER	—
American Samoa	WAIVER	—
Virgin Islands	WAIVER	—
Puerto Rico	WAIVER	—

*12-month budgets.
**Partial Waiver.
N/A Not Applicable.

Source: FY 1976 state planning agency planning grant applications, submitted May 1975. The figures for FY 1976 represent 15-month budgets (except where noted) due to the change in the Federal fiscal year.

APPENDIX IV-8

LEAA State Planning Agency Grant Guideline Transmittals

PREFACE

On June 19, 1968, the Omnibus Crime Control and Safe Streets Act of 1968 became law. The Act provided for increased federal aid to State and local law enforcement agencies through a comprehensive program of planning grants, action grants, and research, demonstration and educational aid designed to strengthen and improve the nation's crime control effectiveness. It superseded and absorbed programs supported under the Law Enforcement Assistance Act of 1965.

The new Act has made possible for the first time
112 a wide-scale program of aid for States and local units of government. To qualify for aid, States must develop comprehensive law enforcement plans as defined in the Act. To facilitate such planning, the Act provides grants to State planning agencies whose primary function will be to develop, revise, and implement these State plans. During Fiscal Year 1969, the first year of program operation, all States developed comprehensive law enforcement plans and qualified for action grants to execute the programs set forth in such plans.

This 1970 edition of the Guide replaces the initial edition (November, 1969) as modified by SPA Directors Memo No. 10 which promulgated a simplified format for first year plans under the Act and an action grant application procedure (February 28, 1969). It combines previous issuances relating to 1970 planning and action grants released through the SPA Directors Memo series. Together with the LEAA *Financial Guide* (May, 1969) and *Discretionary Grants Guide* (January, 1970) it provides complete guidance on application, award and administration of planning and action grants during Fiscal Year 1970 under Parts B and C of the Act.

Law Enforcement Assistance Administration
January, 1970

/s/ CHARLES H. ROGOVIN, Administrator
/s/ RICHARD W. VELDE, Associate Administrator
/s/ CLARENCE M. COSTER, Associate Administrator

Sept. 15, 1976
Memorandum to State Planning Agency Directors
No. 10 (Revised)

SUBJECT: Guidelines for FY 1971 Comprehensive State Law Enforcement Plans – Final Issuance

Transmitted herewith, in the form of a revision to Section IV of the LEAA *Guide for Comprehensive Law Enforcement Planning and Action Grants*, are final guidelines for fiscal year 1971 comprehensive State plans submitted under Title I of the Omnibus Crime Control and Safe Streets Act of 1968.

The guidelines conform to the preliminary issuance forwarded to State planning agencies under date of July 10, 1970, which SPA's have been using in plan development work thus far. The final issuance incorporates no significant departures or new content or data items, thus avoiding prejudice from State reliance on the preliminary guidelines. LEAA had hoped to incorporate pending statutory amendments in the final issuance, but since these have not yet been enacted, any adjustments required will be effected subsequently.

On August 25, 1970, the Director of the Office of Law Enforcement Programs and key staff met with the SPA Committee on Guidelines, Rules, and Procedures designated by the State planning directors at the Colorado Springs meeting. Several suggestions were made and, as a result, some changes were effected. The most notable was modification of the year-by-year projection of expected accomplishments and results to include instead, the basic five-year projection and year-by-year projections only for the first (current) and second years of the multi-year period. LEAA encourages the States to produce year-by-year projections for the full 5-year cycle but recognizes the difficulties posed by a mandatory requirement of this kind. Concern was also expressed by the Committee for uniformity of guideline interpretation by the LEAA regional offices in review and negotiation of the various State plans. It was agreed to strengthen "standardization" efforts on the part of LEAA during the coming round of plan submissions and to work in close liai-

son with the Committee when major questions were presented.

As indicated in the July issuance, the 1971 guidelines substantially follow 1970 specifications, with the following significant changes:

(a) The current Section A (Law Enforcement Needs, Problems, and Priorities) has been dropped as a separate section and integrated in the Multi-Year Plan Component. With introduction of the multi-year plan last year and the general statement required for it, it appeared that the "needs, problems, and priorities" section had become "pro forma" and repetitive of what was required in more intensive form in multi-year presentations.

(b) The "general statement" of the annual action plan has been deleted, again in light of the general statement required for the multi-year plan and to avoid repetition of data.

(c) The overall plan format has been divided into a "Program Component" and an "Administrative Component." It is anticipated that the program component, which includes the multi-year and annual action programs will undergo more active change and revision than the administrative segment. (The latter can stabilize in a basic volume with occasional updating and annual listings and charts for administrative data such as current personnel rosters, local planning allocations, etc.)

(d) The multi-year period has been increased from four to five years (current and four succeeding calendar years). In doing so, it was noted that several States (over 10 percent) were already on a five-year plan basis and that most others had indicated the capacity to move in this direction.

(e) In the multi-year plan, the new guidelines specify a year-by-year projection of hoped-for results and accomplishments for the first and second years of the multi-year period and for the 5-year period as a whole. In the preliminary guidelines, annual projection for each of the 5-years was presented (still recommended by LEAA to States capable of such an effort).

(f) The *Schedule of Law Enforcement System Data* has been retained with modest expansion in the number of information items and improvement of structure and definitions by LEAA's National Criminal Justice Information and Statistics Service (NCJISS). A near-final schedule is included in the guidelines, reflecting inputs of the special SPA directors committee established for this purpose at the Colorado Springs meeting. The final issuance is expected by October 1.

(g) LEAA has retained the suggested functional categories set forth in the 1969 and 1970 guidelines, mindful of the option for States to establish other categories and the fact that many States have actually done so. Nevertheless, experience to date has shown the need to re-examine these categories as a joint LEAA/SPA endeavor and the Administration plans to commence this effort in January 1971 with a view toward adoption of new categories, or category alternatives, commencing with the FY 1972 plans. These will be consistent with the grant management information systems now being developed to facilitate proper LEAA and SPA administration of the Title I program.

(h) Clarifying language has been inserted in several places to remedy difficulties with the 1970 guidelines. Other adjustments include (i) specific request for discussion in Section I-E (Related Plans and Systems) of awards under other LEAA programs (such as the LEEP and National Institute grants), if not covered elsewhere; (ii) distribution of the former statutory justification sections (old Section F) among the new program and administrative components as appropriate; (iii) request for specific data about supervisory board "executive committees" and other standing committees and (iv) a number of updating corrections. 113

* * *

The new Section IV has been punched for insertion in *Guide* binders and additional copies will be forwarded under separate cover. Those particular pages which include modifications from the preliminary guidelines show a September 1970 rather than June 1970 issuance date. A full reprint of the *Guide* for FY 1971 is in preparation and should be available for distribution by November 1. As in the past, States may depart from the guideline structure, provided all guideline items are covered and their location is referenced and explained. The December 31, 1970 due date for plan submissions remains firm.

/s/ RICHARD W. VELDE, Associate Administrator

/s/ CLARENCE M. COSTER, Associate Administrator

FOREWORD

1. **PURPOSE.** This guideline manual provides

guidance on the application, award, and administration of the Part B program, State Planning Agency Grants.

2. **SCOPE.** The provisions of this guideline manual apply to all State Planning Agency Grants. This manual is of concern to all State Planning Agencies.

3. **CANCELLATION.** The Guide for Comprehensive Law Enforcement Planning and Action Grants, Fiscal Year 1970, Section I and II, is cancelled. The following State Planning Agency Director's Memorandums are also cancelled:
   a. No. 13, 4/28/72, Guidelines re: Public Availability of SPA and Subgrantee Records and Documents.
   b. No. 14, 4/28/72, 1973 Planning Advances and Planning Carryover.
   c. No. 22, 4/30/71, Full 1972 Planning Grants.
   d. No. 31, 3/2/72, Environmental Statements.

4. **EXPLANATION OF CHANGES.**
   a. **Guideline Manual Format.** The material in this manual has been arranged in the proper format to comply with LEAA directives system standards for external issuances. Thus the topic lettering and numbering format does not correspond to that used for the 1972 Comprehensive Plan Guidelines.
   b. **Major Textual Changes.** The following major changes to material contained in the Guide, the 1972 Guidelines, and associated SPA memorandums are incorporated in this guideline manual.
      (1) State and Regional Supervisory Board Operations.
      (2) State and Regional Planning Agencies Structure.
      (3) State Planning Agency Operations.
      (4) Lists—State Supervisory Boards, Regional Supervisory Boards, State Planning Agency Staff and Combined State Planning Agency Staff and Regional Planning Staff.
      (5) Annual Comprehensive Plan Development Process.
      (6) Utilization of Services, Facilities, etc.
      (7) Evaluation Activities of the State Planning Agency.
      (8) Plan Implementation and Subgrant Procedures.
      (9) Manual/Guidelines of the State Planning Agency.
      (10) State Planning Agency Denial/Termination Procedures.
      (11) FY 1973 Buy-In and Hard Match Requirements.
      (12) State Assumption of Cost Responsibilities.
      (13) Non-Supplanting Responsibilities.
      (14) State Planning Agency Technical Assistance and Services.
      (15) State Audit Activities.
      (16) OMB Circular A-95 Procedures.
      (17) National Environmental Policy Act.
      (18) Clean Air Act.
      (19) National Historic Prevention Act.
      (20) Uniform Relocation Assistance and Real Property Acquisition Policy Act.
      (21) Federal Freedom of Information Requirement.
      (22) Civil Rights Act.
      (23) Fund Availability Plan for Localities.
      (24) Source of Funds Statement.
      (25) Annual State Planning Agency Budget.
      (26) Annual State Planning Agency Functional Budget.
      (27) Standard General and Fiscal Grant Conditions.
      (28) Advanced Planning Grant Application Procedure.

   c. **Administrative Component.** The major change change to the Fiscal Year 1973 Planning Grant Guidelines is the inclusion of the administrative components formerly required as a part of the Comprehensive State Plan.

   d. **Buy-In and Hard Match Requirement.** Included in this Guideline Manual are the Buy-In and Hard Match Requirements which will effect the operation of the State Planning Agency.

   e. **Other Statutory Requirements.** Included is a discussion and listing of requirements imposed on the State Planning Agency by legislation other than the Omnibus Crime Control and Safe Streets Act, as amended.

   f. **Consolidation of SPA Memorandum.** This

Guideline Manual is an effort to combine in one document numerous SPA Memorandums and other related correspondence affecting the State Planning Agency Operation.

5. **FORMS.** Use of the following new forms is prescribed by the Guideline Manual. An initial distribution of these forms will be made to State Planning Agencies.
   a. **LEAA Form 4201/1** (5-72), Application for Planning Grant Advanced Funds—Fiscal Year 1973
   b. **LEAA Form 4202/1** (6-72), Full Planning Grant Application.

/s/ JAMES T. DEVINE, Assistant Administrator, OCJA

Oct. 4, 1972 (FY 1973)
M 4300.1

FOREWORD

1. **PURPOSE.** This Guideline manual provides guidance on the formulation of Comprehensive State Law Enforcement Plans.

2. **SCOPE.** The provisions of this Guideline manual apply to all Comprehensive State Plans. The manual is of concern to all State Planning Agencies.

3. **CANCELLATION.** SPA Memo No. 10, Change No. 1, Guidelines for FY 1973 Comprehensive State Law Enforcement Plans.

4. **EXPLANATION OF CHANGES.** This Guideline manual complements Guideline Manual M 4100.1 and completes the Guide for Comprehensive Law Enforcement Planning and Action Grants. Guideline Manual M 4100.1, Chapters 1 and 2 are to be used for Part B Planning Grants and Guideline Manual M 4300.1, Chapters 3 and 4 are to be used for Part C and E Comprehensive State Plans. The material in this Guideline Manual M 4300.1 has been arranged in the proper format to comply with LEAA directives system standards for external issuances. No major textual changes have been made.

/s/ JAMES T. DEVINE, Assistant Administrator Office of Criminal Justice Assistance

Dec. 10, 1973 (FY 1974)
M 4100.18

FOREWORD

1. **PURPOSE.** This guideline manual provides guidance on the application, award and administration of the Part B planning program and the Part C and E action programs.

2. **SCOPE.** The provisions of this guideline manual apply to all State Planning Agency grants. This manual is of concern to all State Planning Agencies and LEAA professional personnel.

3. **CANCELLATION.** Guideline Manual M 4100.1A, State Planning Agency Grants is canceled.

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4. **EXPLANATION OF CHANGES.**
   a. **Crime Control Act of 1973.** This manual incorporates changes required by the Crime Control Act of 1973 which became Public Law 93-83 on August 6, 1973.

   b. **Major Textual Changes.** The following major changes which will have a significant effect on planning and action grant applications have been incorporated in this guideline manual:
      (1) Citizen representation on State Planning Agency (SPA) Supervisory Boards is now optional rather than required (paragraph 16b(2)).
      (2) SPA's are required to provide procedures for the submission and review of annual plans from regional planning units and/or units of general local government having a population of at least 250,000 persons (paragraph 18a(3)).
      (3) SPA's are required to approve or deny applications to the SPA for funding no later than 90 days after receipt by the SPA. SPA's must develop written procedures regarding the 90 day review (paragraph 19).
      (4) On Part B and Part C Block funds, States are required to Buy-In on not less than one-half of the required non-federal funding (paragraph 19h).
      (5) The required non-federal funding of the cost of any program or project utilizing

Part B, Part C or Part E funds must be new money appropriated in the aggregate by the State or local unit of government (paragraph 19i).

(6) Regional Planning units may receive up to 100 percent funding for expenses incurred in criminal justice planning (paragraph 24b).

(7) Regional Supervisory Boards must be composed of a majority of local elected officials (paragraph 24c(a)).

(8) Additional emphasis has been placed on the establishment of State standards, goals and priorities. The State Plan must also be comprehensive and demonstrate a determined effort to improve the quality of law enforcement and criminal justice (paragraphs 60 and 62).

(9) The State Plan must provide funding incentive to units of government that coordinate and combine criminal justice functions (paragraph 79a(2)).

(10) The State Plan must include a comprehensive program for the improvement of juvenile justice (paragraph 81).

(11) The State Plan must reflect an emphasis on the development of narcotic and alcoholism treatment programs in correction programs (paragraph 84n).

(12) The State Plan must reflect programs to monitor the progress and improvement of the correctional system (paragraph 84o).

(13) SPA's are required to implement the Department of Justice Equal Employment Opportunity Guidelines 28 C.F.R. 42.301, *et seq;*. subpart E (paragraph 33).

5. **EFFECTIVE DATE.** This manual is effective July 1, 1973.

/s/ DONALD E. SANTARELLI, Administrator

July 1, 1974 (FY 1975)
M 4100.1C

FOREWORD

1. **PURPOSE.** This guideline manual provides guidance on the application, award and administration of the Part B planning program and the Part C and E action programs.

2. **SCOPE.** The provisions of this guidance manual apply to all State Planning Agency grants. This manual is of concern to all State Planning Agencies and LEAA professional personnel.

3. **CANCELLATION.** Guideline Manual M 4100. 1B, State Planning Agency Grants is cancelled.

4. **EXPLANATION OF CHANGES.** The following textual changes have been incorporated into this guideline manual.

a. **A-95 Review.** Revised OMB Circular No. A-95 issued November 13, 1973 now requires Federal agencies to provide the Clearinghouse with a written explanation when proceeding to approve a program or project which has been recommended by the Clearinghouse not to be approved. (p. 24)

b. **National Environmental Policy Act of 1969.** Revised guidelines issued by the Council on Environmental Quality on August 4, 1973, required a complete revision of LEAA regulations relating to the implementation of the National Environmental Policy Act (pp. 26-29 and 149).

c. **Clean Air Act and Federal Water Pollution Control Act.** Executive Order 11738 issued January, 1974, prohibits Federal funds to be used in contracting with violators of the Clean Air Act and Federal Water Pollution Control Act (pp. 29 and 148).

d. **National Historic Preservation Act of 1966.** Revised guidelines pursuant to the National Historic Preservation Act include two new requirements. In addition to the Federal Register Properties, properties eligible for inclusion in the Federal Register also must be reviewed for adverse effect. Finding of effects must be reported to the Advisory Council on Historic Preservation (p. 29).

e. **Medical Research and Psychosurgery.** LEAA policy regarding the use of grant funds for medical research is incorporated into Appendix 4-3 (p. 150).

f. **Content of Environmental Analysis.** A revision and elaboration of information to be included in environmental impact statements necessitated the addition of Appendix 4-6 (pp. 155-156).

g. **Environmental Review Format.** The development of a new and more elaborate environmental review format necessitated the addition of Appendix 4-7 (pp. 157-160).

5. **EFFECTIVE DATE.** This manual is effective July 1, 1974.

/s/ DONALD E. SANTARELLI, Administrator

March 21, 1975 (FY 1976)
M 4100.1D

FOREWORD

1. **PURPOSE.** This guideline manual provides guidance on the application, award and administration of the Part B planning program and the Part C and E action programs.

2. **SCOPE.** The provisions of this guideline manual apply to all State Planning Agency grants. This manual is of concern to all State Planning Agencies and LEAA professional personnel.

3. **CANCELLATION.** Guideline Manual M 4100.1C, State Planning Agency Grants, dated July 1, 1974, is cancelled.

4. **EXPLANATION OF CHANGES.** The following textual changes have been incorporated into this guideline manual.
   a. **Change to M 4100.1C.** Change 1, issued November 1, 1974 and Change 2, issued January 24, 1975, have been incorporated into this document. These were changes to the FY 1975 guideline. The planning grant application forms have been changed to reflect change in policy with regard to carryover of planning funds from one year to the next.
   b. **Juvenile Justice.** Changes have been made throughout this guideline which reflect a new emphasis on Juvenile Justice in both the Planning Grant and Comprehensive Plan applications. Paragraph 81, page 131, provides for a citation to all portions of the plan which deal with juvenile justice and juvenile delinquency prevention.
   c. **Juvenile Justice and Delinquency Prevention Act of 1974.** The changes to the Safe Streets Act mandated by the JJ&DP Act of 1974 (i.e. the composition of the SPA Supervisory Board and the maintenance of the 1972 level of effort on Juvenile Delinquency Prevention) have been included. The first of these was included in Change 2 to the 1975 guidelines. The second is in Paragraph 81, page 131. Paragraph 82, page 131, is reserved for guidelines for those states which plan to participate in the programs to be funded under the new Act.
   d. **A-95 Notification Procedures.** Two changes have been made in Paragraph 27 to more clearly describe the requirements of OMB circular A-95. These can be found in Paragraph 27b(4)(a) and (b).
   e. **State Planning Agency Staff.** The kinds of competencies suggested as appropriate for State Planning Agency staffs is changed in Paragraph 17, page 10, to reflect emphasis on evaluation capabilities, among other competencies which are appropriate.
   f. **National Environmental Policy Act and National Historic Preservation Act.** Paragraphs 28 and 30, pages 37-42, which contain the requirements mandated by the National Environmental Protection Act of 1969 and the National Historic Preservation Act of 1966 have been revised. LEAA will issue a guideline which will more fully articulate NEPA and NHPA requirements in the near future.
   g. **Memorandum of Agreement on Areawide Planning.** A memorandum of agreement must be developed between the areawide planning agency which is designated as the A-95 clearinghouse and the applicant for funds for an areawide or regional law enforcement and criminal justice planning unit. This change, contained in Paragraph 27, page 36, requires that the memorandum must specify how the general areawide planning agency and the law enforcement and criminal justice planning agency will coordinate planning activities. If the two agencies are the same, the memorandum is not required.
   h. **Civil Rights Compliance.** Changes in Paragraph 33, pages 52-56, reflect new requirements for civil rights compliance, with special reference to reporting on awards for construction projects.
   i. **Description of Planning Process and Plan Relationships.** A fuller statement of the planning process or planning methods to be used by the State Planning Agency is required by these

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changes in Paragraph 18, pages 12-14. A set of planning steps is suggested. The State Planning Agency is to show how it expects to relate the sections of the plan to one another.

j. **Technical Assistance.** The guidelines were revised in two places, both in the planning grant application requirements (Paragraph 22, page 26), and in the comprehensive plan guidelines (in a new Paragraph 83, pages 131-132), to reflect increased emphasis on the development of a technical assistance strategy and plan by each State Planning Agency. Technical Assistance is defined in the new Paragraph.

k. **State Assumption of Costs.** The guidelines have been revised in two places, both in the planning grant application (Paragraph 18, page 19), and in the Progress Report (Paragraph 92, page 147) to reflect the need for additional detailed information about the extent to which state and local governments are assuming costs of programs originally funded by block grants, and are building these programs into ongoing state and local criminal justice and law enforcement agencies.

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l. **Audit Capabilities/Activities.** The guidelines have been changed to provide for more specificity about the plans and proposed procedures for audit by each State Planning Agency (Paragraph 23, pages 26-28). A biennual audit is permitted.

m. **Submission Dates for Planning Grant Applications and Comprehensive Plans.** The submission date for FY 1976 planning grants is changed to May 31, 1975. The submission date for the FY 1976 comprehensive plan is changed to September 30, 1975. It is intended that in FY 1977, the planning grant will be submitted by May 1, 1976, and the comprehensive plan by June 30, 1976. This set of dates is designed to permit the approval of state plans for 1977 by the time the new fiscal year begins for fiscal 1977, which is October 1, 1976, as provided in the new Budget Act. These changes will also permit State Planning Agencies to move toward full plan implementation at the start of calendar year 1977. These changes are found in Paragraph 44, page 63, and in Paragraph 105, page 166.

n. **Certified Check List.** The certified check list (pages 89-93) has been changed to reflect other changes in the guideline which require that states report where new material is now required.

o. **Comprehensive Plan Requirements.** The requirements for the comprehensive plan have been changed, in accordance with the intent of Congress in adding the definition of comprehensiveness (Section 601(m)), to specify more fully what a comprehensive plan must include. The requirements have also been changed to require a fuller effort at data-based crime analysis. The statement originally required on standards, goals, and priorities has been separated into three statements, although states may still choose to combine them into one. Methods by which goals, standards, and priorities were developed, and strategies for achievement of them are now required. Standards and goals development efforts are fully tegrated into the planning process. The multi-year budget and financial plan is changed to require that all state and local expenditures for law enforcement and criminal justice must be included and related to the proposed block grant expenditures. The annual action program section must include statements about what the contribution programs are expected to make to goal and standard achievement. These changes involve substantial revisions in Paragraphs 49 through 73, pages 97-122.

p. **Program Categories and Program Descriptors.** The guidelines have been changed to eliminate suggested program categories (1) through (9), leaving each State Planning Agency free to select its own program categories. The guidelines now include a new requirement that program descriptor codes be added to programs funded with LEAA grants in the multi-year plan and in the annual action program. The changes are contained in Paragraph 65, page 113, in Paragraph 73, page 118 and 122 in Appendix 3-1 and in Attachment A, pages 173-174, to the comprehensive plan, which provides the crosswalk to the program descriptors from the state's program categories. The crosswalk will be mandatory for the FY 77 plan. LEAA will do this for the SPAs for the FY 76 plan. The SPAs must apply the program descriptors to their subgrants in the FY 76 plan after LEAA codes the plan.

q. **Progress Report.** The section on the progress report on the previous year's grant awards

have been changed (Paragraphs 92-94, pages 147-148) to require that states provide more detailed reports on projects which have been monitored and which appear to have promise of success and to offer potential for widespread replication.

r. **Housing and Community Development Act of 1974 and Joint Funding Simplification Act of 1974.** Changes have been included (in Paragraph 91, page 145) which reflect the passage of the Housing and Community Development Act of 1974 and the Joint Funding Simplification Act of 1974, and which require statements, as applicable, of relationships to the requirements of those Acts.

s. **Narcotics and Alcoholism Treatment.** Revisions (in Paragraph 84, pages 140-142) which reflect required LEAA coordination with other Federal agencies, including the Special Action Office for Drug Abuse Prevention (SAODAP), the National Institute for Drug Abuse (NIDA), and the National Institute for Alcoholism and Alcohol Addiction (NIAAA), are set forth in the guidelines. They make more specific the requirements for provision of needed services to those in corrections programs.

t. **Manpower Plans and Programs.** The guideline has been changed in several places to reflect added emphasis on and reporting of manpower plans and programs. The changes appear in Paragraph 18, page 12; Paragraph 59, page 103, and Paragraph 73, page 118.

u. **Organized Crime Plans and Programs and Bicentennial Plans and Programs.** The guideline has been changed to reflect the need to provide more information on the plans and programs of the states, in an easily identifiable way, in the areas of organized crime and the bicentennial.

v. **Advances on Action Grants.** The requirements for action grant advances has been changed (Paragraph 100, page 147) to require that first quarter advance action grants will be made only if the planning grant application has been submitted to LEAA. Second quarter advances will be made only if the comprehensive plan for the state has been submitted to LEAA.

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w. **Appendices 1 and 2.** The Crime Control and Safe Streets Act as amended by the Juvenile Justice and Delinquency Prevention Act of 1974 is appendix 1. The Juvenile Justice and Delinquency Prevention Act of 1974 is appendix 2.

/s/ CHARLES R. WORK, Deputy Administrator for Administration

APPENDIX IV-9

State Plan Implementation

States	Percent of Projects Planned and Receiving Funding	Percent of Projects Actualiy Implemented	Percent of Projects Never Started
UNITED STATES, TOTAL	88.0	86.1	4.4
Alabama	95	90	0
Alaska	95	0	.5
Arizona	90	90	5
Arkansas	90	80	3
California	85	98	1
Colorado	75	70	5
Connecticut	99	95	2
Delaware	NA	NA	NA
District of Columbia	90	95	0
Florida	99	98	1
Georgia	95	95	5
Hawaii	NA	NA	NA
Idaho	98	98	2
Illinois	90	85	5
Indiana	90	95	2
Iowa	80	79	1
Kansas	NA	NA	NA
Kentucky	90	80	2
Louisiana	95	90	1
Maine	70	65	5
Maryland	87	87	2
Massachusetts	95	93	2
Michigan	90	95	5
Minnesota	90	90	2
Mississippi	95	90	5
Missouri	95	85	5
Montana	98	98	2
Nebraska	50	99	2
Nevada	95	90	5
New Hampshire	90	80	2
New Jersey	95	95	1
New Mexico	90	80	10
New York	NA	NA	NA
North Carolina	70	60	10
North Dakota	83	99	0
Ohio	90	90	5
Oklahoma	95	99	1
Oregon	95	80	10
Pennsylvania	NA	95	5
Rhode Island	90	85	5
South Carolina	95	80	5

South Dakota	75	75	10
Tennessee	73	95	5
Texas	83	88	5
Utah	90	96	4
Vermont	NA	NA	NA
Virginia	90	85	5
Washington	75	75	2
West Virginia	90	90	1
Wisconsin	77	67	5
Wyoming	NA	NA	NA
Virgin Islands	85	80	10
American Samoa	90	50	10
Guam	95	75	25
Puerto Rico	NA	NA	NA

NA = Not Available.
Source: ACIR 1975 Safe Streets Survey.

Chapter V

Safe Streets Funding

This chapter focuses on the ways in which Safe Streets funds have been used over the past seven years. It includes a discussion of the different kinds of assistance made available under the Safe Streets Act, the purposes for which they have been used and the distribution to various jurisdictions and agencies.

While the best available data have been used here, complete and reliable information on Safe Streets funding has been and continues to be difficult to obtain. Hence, the reader is cautioned on the limitations of the data upon which the following analyses are based.[1]

DISTRIBUTION OF PART C BLOCK GRANT FUNDS

In Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Congress mandated that an amount of funds be distributed among the states in the form of block grants and in accordance with a population-based formula. This formula for Part C action funds, which has been in effect throughout the life of the act, has resulted in the distribution of Federal assistance shown in Appendix Table V-1, p. 154. These block grants are to be used by the states to carry out programs and projects to improve and strengthen law enforcement and criminal justice. Nationally, the 10 most heavily populated states have received more than 50 percent of the action funds, compared with less than a three percent share for the 10 least populated states.

To put the Safe Streets block grant program in perspective, total Part C expenditures are compared with total state and local direct criminal justice outlays for the years for which data are available (see Table V-1). During the first five years of the program, Safe Streets Part C funds represented a total of only 3.2 percent of total state-local direct criminal justice expenditures. Since block grant funds began to level off after FY 1973, it is doubtful whether they have exceeded five percent of such outlays in the past few years. Even when Part E allocations for corrections are added, the proportion of total Safe Streets funds in state and local criminal justice expenditures in any year does not rise above five percent. Thus, the relatively small size of the Safe Streets program must be considered in assessing its results and impact.

Distribution by Level of Government

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To help ensure that sufficient Safe Streets funds would be made available to meet local needs, Congress mandated that, within each state, a certain percentage of the Part C block grant award must be passed through to local governments. This pass-through percentage now is variable, based on the local proportion of state and local expenditures for criminal justice during the preceding fiscal year. While this formula determines the overall allocation of Part C funds between state and local government by each state planning agency (SPA), the amounts to be awarded to individual jurisdictions and the purposes for which they are to be used are decided by SPAs, and in some states by regional planning units, based on applications submitted by localities.

Table V-2 indicates the percentages of action funds received by the different levels and types of government.

As can be seen, the relative percentages of Safe Streets subgrants to state agencies, cities, counties and private non-profit organizations have fluctuated over the years. Some of these changes are attributable to congressional action. In the 1971 amendments, for example, Congress modified the original requirement for states to pass through a total of 75 percent of their block grant funds to local units. The increase in state agency funds and the decrease in awards to cities from 1969 to 1972 could reflect the change from a fixed to a variable pass-through percentage. In most instances, this revised pass-through formula resulted in more funds being available for state agencies.

The jump in the state agency percentage and decline in the city and county percentages in 1975 could be illusory, since only a small proportion of 1975 funds had been awarded and included in the Grants Management Information System (GMIS) system at the time research for this chapter was completed.

Table V-1

Comparison Between Safe Streets Part C Block Grant Funds and Direct (Excluding Intergovernmental Payments) State and Local Criminal Justice Expenditures FY 1969-1973

(In Thousands)

Fiscal Year	State* Expenditures	Local* Expenditures	Block Grant Funds**	Block Grant Funds as a Percent of State/Local Total Expenditures
1969	1,849,000	4,691,000	25,062	0.3
1970	2,139,000	5,454,000	182,750	2.4
1971	2,681,000	6,621,000	340,000	3.1
1972	2,948,000	7,281,000	413,695	4.0
1973	3,304,000	8,052,000	480,180	4.2
TOTAL 1969-1973	12,921,000	32,099,000	1,441,687	3.2

*U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1968-69 and 1972-73* (Washington, D.C.: Government Printing Office, 1974).

**These figures were obtained from comprehensive planning guidelines published annually by LEAA.

Table V-2

Percentages of Part C Block Grant Funds Received by Different Levels of Government FY 1969-1975

Type of Recipient	1969	1970	1971	1972	1973	1974	1975	1969-75
State	28	28	32	36	36	36	47	35
Cities	48	42	37	31	31	29	23	33
Counties	23	28	29	31	31	30	25	30
Private agencies	1	2	2	2	3	5	5	3

Source: LEAA Grants Management Information System (GMIS) data.

Also, state agency grants require less processing time and thus can be awarded earlier than local grants.

The percentages of total direct criminal justice expenditures by each level of government are shown in Table V-3. Comparison with Table V-2 suggests that states and counties now are receiving more and municipalities less than a proportionate amount of Safe Streets Part C funds based on their relative shares of direct criminal justice outlays. This was not the case in the program's initial years. It should be noted, however, that a significant proportion of total municipal criminal justice expenditures include those of small towns and villages, many of which are unwilling or unable to apply for Safe Streets funds or are not eligible individually to receive such assistance, under state guidelines, because of a low crime rate or small population. Another factor to be considered here is the practice of making grants to state agencies or regional planning units but counting these awards as part of the required pass-through percentage because they benefit municipalities that have waived their right to receive direct aid. These appear as state agency or county grants in GMIS data. Still another, of course, is the tapering off of SPA awards for police and police-related activities; this obviously affected the cities' share of the funds over time.

To gauge attitudes on this issue, ACIR asked all SPA directors whether or not they thought that the present pass-through formula provides the most appropriate division of resources. Slightly less than three-fourths of the respondents answered affirmatively. Those who disagreed generally believed that

Table V-3

Percent Distribution of Criminal Justice System Direct Expenditures (Excluding Intergovernmental Payments) by Type of Government

Type of Government	FY 1970-1971	FY 1971-1972	FY 1972-1973
State	29	29	29
Municipalities	48	47	46
Counties	23	24	25

Source: U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1970-71, 1971-72, 1972-73* (Washington, D.C.: Government Printing Office, 1974).

more funds should be retained at the state level, but their reasons varied widely. Some indicated that state agencies have greater expertise and administrative capability and are better able to make effective use of Safe Streets funds. Others mentioned the efficiency of making monies available to state agencies to provide services directly benefitting local government. For example, one SPA stated: ". . . a number of projects in which a single state agency could perform a service to local agencies in a uniform, cost effective manner must often be carried out in a multiplicity of fragmented local grants because of pass-through limitations and the difficulties of working out an adequate waiver process." Two SPAs objected to the pass-through formula on the ground that it reinforced the state-local division of functions, providing no incentive for the state to assume additional responsibilities. As one put it: "The existing pass-through formula is based on the current balance between state and local spending for criminal justice, and therefore tends to perpetuate the current structure of the criminal justice system. While some limits on SPA allocations to its sister state agencies may be necessary, these limits should be flexible enough to allow for SPA support of major realignments of criminal justice responsibilities (e.g., state takeover of the county corrections system)." Still other SPAs took issue with the method by which the pass-through ratios are computed. Typically, these respondents challenged the currency and completeness of the data on which the formula is based.

When city and county officials were asked whether the present pass-through percentage provides the most appropriate division of resources between state and local levels, 71 percent (835 of 1,177) replied negatively, with 98 percent of these officials indicating that the localities should receive a greater percentage of Safe Streets funds. There were no differences in the views of city and county officials on the issue. This feeling on the part of local officials stems from their resentment of state control of Safe Streets allocations, a view which was expressed rather consistently during the field interviews with local officials. It also reflects their hostility to the variable pass-through provision.

There is some evidence that, within each state, Safe Streets funds have been fairly widely distributed among local units of government. Of the 1,636 cities and counties responding to ACIR's survey, 77 percent indicated that they had received Safe Streets funds at some time since 1969. Although this percentage probably would drop if non-respondents were polled, it does indicate a wide diffusion of Safe Streets dollars across many jurisdictions.

Funding Policies and Priorities

One of the prime areas of inquiry in ACIR's surveys and field studies was the extent to which the block grant approach provided sufficient flexibility to state and local governments. All SPAs were asked to assess their degree of programmatic and administrative discretion in handling Safe Streets block grants.

As the data in Table V-4 show, most SPAs believe

Table V-4

SPA Directors' Views on Amount of Discretion Under the Block Grant

October 1975

	Great Discretion		Some Discretion		Little Discretion		No Discretion	
	No.	%	No.	%	No.	%	No.	%
Control and use of funds	22	43.1	29	56.9	0	—	0	—
Establishing action grant priorities	31	60.8	20	39.2	0	—	0	—
Planning procedures	22	43.1	26	51.0	3	5.9	0	—
Budgeting procedures	18	35.3	25	49.0	8	15.7	0	—
Auditing procedures	13	25.5	28	54.9	9	17.6	1	2.0
Evaluation procedures	18	35.3	30	58.8	3	5.9	0	—

Source: ACIR 1975 Safe Streets survey.

Table V-5

Relative Influence of Various Participants on SPA Policies and Priorities

October 1975

	Great Influence		Some Influence		No Influence	
	No.	%	No.	%	No.	%
LEAA priorities	8	17.4	32	69.6	6	13.0
Congressional priorities as expressed in the act and amendments thereto	17	36.9	27	58.7	2	4.3
The governor	10	21.7	28	60.9	8	17.4
The state legislature	4	8.7	31	67.4	11	23.9
SPA supervisory board	41	89.1	5	10.9	0	—
SPA staff	31	67.4	15	32.6	0	—
Other state criminal justice agencies	7	25.9	18	66.7	2	7.4
Regional planning units	14	35.9	24	61.5	1	2.6
Local governments	8	19.0	32	76.2	2	4.8
Interest groups	3	19.0	10	76.2	9	4.8

Source: ACIR 1975 Safe Streets survey.

they have significant discretion in establishing action grant priorities and, in fact, most have taken an active role in setting specific policies and/or priorities which limit the range of eligible funding activities. Eighty-seven percent of the 45 state planning agencies responding to a question concerning this matter stated that they established policies that excluded certain activities from funding and encouraged others. Among the types of policies cited most frequently were those prohibiting the use of Safe Streets support for equipment and construction projects. A number of SPAs also have attempted to maximize the reform potential of Federal monies by setting certain eligibility standards for applicants; for example, Maryland refuses to fund police departments not meeting the SPA's minimum standards for police services. Similarly, Louisiana and Georgia exclude localities not participating in the Uniform Crime Reporting program from eligibility for Safe Streets assistance. Several states give priority to consolidated multi-jurisdictional efforts, primarily in the areas of law enforcement communications, training and construction.

As seen in Table V-5 the SPAs indicate that their supervisory board and staff exercise by far the most influence in establishing funding policies and priorities. Congressional preferences also appear to have a rather strong effect on SPA actions; the response pattern suggests that the categorization of the act as well as other statutory provisions like the personnel ceiling, have narrowed state discretion. In contrast, the governor and the state legislature appear to exercise relatively little influence in priority setting. It should be remembered, however, that the governor normally appoints the SPA director and the supervisory board members. Hence, gubernatorial influence may be exercised in indirect ways.

Among the most important SPA policies are those that govern the distribution of funds by jurisdictional and functional area. Twenty-one of the SPAs surveyed establish, by formula or other means, the percentage of Part C funds each region will receive; 22 do not do so. Of the SPAs that set aside specific amounts of funds by region, 82 percent do so prior to the preparation of the regional plan. Two of three states (Washington and Wisconsin) indicating that regional allocations take place after review and consideration of regional plans by the SPA include regional plan quality as one of the criteria in determining the amounts. As one of these SPAs explained: "Regional Comprehensiveness, quality of Plan submission, interregional equity, regional priorities in relationship to overall state priorities and the availability of alternative local resources are all factors considered in efforts to equitably distribute money among regions."

Distribution formulas utilized by these SPAs vary widely in their precise detail. Generally they are based on some combination of population and reported index crimes, although a number of states incorporate other factors as well. Several SPAs cited obstacles to developing an equitable formula, particularly outdated population statistics and unreliable crime data.

Those states not establishing distribution formulas took issue with this basic approach to allocating Safe Streets funds. One urban state commented: "The Committee (SPA) sees LEAA funds as a demonstration program, not revenue sharing. Since funds are limited, they should go to the most promising or desperately needed projects. Any other approach only encourages mediocre projects." Another, a predominantly rural SPA, asked: "Is it the purpose of LEAA merely to divide the money as opposed to directing funds to problem areas of the criminal justice system?" These SPAs tend to distribute funds on the basis of documented need, usually after a project-by-project assessment at the state level.

ACIR's survey of regional planning units indicates that 77 percent of 326 responding RPUs establish their own funding policies and priorities in addition to those of the SPAs. This raises the question of who exercises the most influence in determining which activities and jurisdictions receive Safe Streets support—the SPA or the RPU? According to the survey of cities and counties, even though 71 percent of the localities communicate more often with the RPU than with the SPA concerning fund availability and application procedures, 66 percent of them think that the SPA has more influence in determining which activities and jurisdictions receive Safe Streets funds. Thus, while the RPUs may be assuming more administrative duties in the application process, in most localities the SPA is still viewed as controlling the distribution of Federal dollars.

In both the RPU and local government surveys, officials were asked whether, given their population and crime rate, they believed their jurisdiction receives a "fair share" of Safe Streets funds as compared with others. Both the local and regional respondents divided fairly evenly with 55 percent of the 418 counties and 321 RPUs and 48 percent of the 775 cities answering this question indicating that they did receive a "fair share."

Table V-6

Percent Distribution of Safe Streets Funds to Municipalities and Counties by Population Size FY 1969-1975

(In Thousands)

Size of Population	Percent of Population Living in Incorporated* and Unincorporated Places	Amount Awarded				Totals			
		Municipalities**		Counties		Amount Awarded		Number of Grants	Percent	Total Dollars per Capita
		$	%	$	%	$	%			
Over 1,000,000	13	117,368	20	38,038	7	155,406	14	891	2	8.28
500,000-1,000,000	9	66,444	11	56,392	11	122,836	11	2254	4	9.46
250,000-500,000	7	58,981	10	69,903	13	128,884	11	1614	3	12.31
100,000-250,000	10	95,142	16	75,558	14	170,700	15	5244	9	11.94
50,000-100,000	12	68,312	12	58,750	11	127,062	11	4608	8	7.59
25,000-50,000	12	55,422	9	46,435	9	101,857	9	6714	12	5.71
10,000-25,000	15	44,759	8	69,727	13	114,486	10	8634	15	5.34
1-10,000	22	49,250	8	100,484	19	149,734	13	24,590	43	4.69
Unknown		31,773	5	19,391	4	51,164	5	2,220	4	
TOTAL	144,448,164***	587,451		534,678		1,122,129		56,769		

*U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population*, Vol. 1, *1970* (Washington, D.C.: Government Printing Office, 1972), I-45, Table 6.

** This column includes all local jurisdictions other than counties and RPUs.

***This does not include the 58,564,816 persons not living in incorporated areas or closely settled population centers as defined by the Bureau of the Census.

Table V-7

Local Governments That Have Received Safe Streets Funds Since 1969, by Jurisdictional Size

October 1975

Size of Local Jurisdiction	Number Reporting	Number Receiving Funds	Percent Receiving Funds
Over 500,000	16	16	100
250,000 - 500,000	19	19	100
100,000 - 249,999	68	67	99
50,000 - 99,999	122	110	90
25,000 - 49,999	228	196	86
10,000 - 24,999	535	396	74

Localities claiming they had received an unfair share gave various explanations for this condition, including an inadequate substate allocational formula or faulty SPA distributional criteria (25 percent), the comparatively weak political position of their jurisdiction vis-a-vis others (21 percent), insufficient representation on the SPA supervisory board (18 percent), deficient RPU allocational criteria (12 percent), meager representation on their RPU supervisory board (11 percent), unwillingness to apply for Safe Streets funds because of worries over ultimate assumption of project costs (8 percent) and/or difficulties in coming up with matching funds (7 percent).

Funding of Urban Areas

A continuing issue throughout the history of the Safe Streets program has been whether the larger urban areas, which have the greatest crime-reduction needs, are receiving a sufficient share of the funds. In an attempt to resolve this matter, GMIS data were analyzed according to the population size of the recipient jurisdiction.

Table V-6 indicates that the larger cities and counties have received proportionately more Safe Streets funds than their population would seem to warrant. Places over 100,000 for example, contain approximately 39 percent of the population, yet they were awarded approximately 51 percent of the Safe Streets funds distributed to cities and counties. On the other hand, localities under 25,000 population have 37 percent of the population but were allocated only 23 percent of the funds.

The larger cities and counties, then, account for the greatest dollar amounts but a lesser number of grants, while jurisdictions under 10,000 population received 43 percent of the number of awards but only 13 percent of the funds. This reflects the tendency of small municipalities and rural communities to apply for and be awarded funds—particularly for equipment and training purposes—to upgrade their law enforcement and criminal justice operations. 129

In order to gauge the extent of Safe Streets participation among local jurisdictions, those surveyed were asked if they had received Safe Streets funds since 1969. The responses are shown in Table V-7. Clearly, a greater percentage of the larger cities and counties surveyed have obtained Safe Streets support than the smaller jurisdictions.

Population, of course, is not the only consideration in distributing block grants within their states. Many other factors, most notably crime rates, are given as much or more attention in developing SPA funding policies and priorities. Table V-8 shows how Safe Streets funds have been allocated to cities of varying population ranges relative to their percent of reported crimes and population.[2]

On the basis of these data, it appears that the flow of dollars among cities of different sizes more closely reflects the amount of crime in these jurisdictions than their population. Cities over 100,000 received 57 percent of the Safe Streets Part C block grant funds awarded to all cities and accounted for 57 percent of the total index crimes reported by jurisdictions of this type, even though they contained only 45 percent of the population living in cities. At the other extreme, cities under 25,000 had 27 percent

Table V-8

Percent Distribution of Safe Streets Funds by Population and Crime Rate of Cities
Part C Block Grant Funds
FY 1969-1975

Size of City Population	Population* Percent of 1973 Total Population Living in Cities of Differing Population Sizes	Crime* Percent of Total 1973 Index Crimes Reported by Cities of Differing Population Sizes	Funds** Percent of Total Safe Streets Part C Block Grant Funds (FY 1969-75) Awarded to Cities of Differing Population Sizes
Over 1,000,000	15	18	20
500,000-1,000,000	11	14	11
250,000-500,000	8	11	10
100,000-250,000	11	14	16
50,000-100,000	14	14	12
25,000-50,000	14	12	9
10,000-25,000	16	11	8
1-10,000	11	7	8
Unknown	—	—	5

*U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974), pp. 104-5.

**GMIS data.

Table V-9

Safe Streets Part C Funding of Cities
FY 1969-1975

Population	Percent of U.S. Reporting Population Living in Cities*	Percent of All Reported U.S. Crimes Reported by Cities*	Total City-County Block Grant Funds Awarded to Cities** $	%	Total City-County Discretionary Funds Awarded to Cities** $	%
Over 1,000,000	10	14	117,367,878	10	18,874,496	9
500,000-1,000,000	8	12	66,443,691	6	51,417,374	24***
250,000-500,000	6	9	58,981,462	5	44,841,588	21***
100,000-250,000	8	11	95,141,898	8	11,531,906	5
50,000-100,000	10	12	68,312,434	6	6,727,761	3
25,000-50,000	10	10	55,421,897	5	2,861,438	1
10,000-25,000	11	10	44,759,069	4	1,322,340	1
1-10,000	7	5	49,250,475	4	1,371,511	1
Unknown	0	0	31,773,735	3	9,974,894	5
TOTAL	70	83	587,452,539	52	148,923,308	70

*U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974), pp. 104-7.

**Source:* GMIS data.

***Discretionary funds totaling approximately $124,000,000 were awarded to eight cities in these two population groups as part of the Impact Cities program.

Table V-10

Safe Streets Part C Funding of Suburban and Non-Suburban Counties FY 1969-1975

Population	Percent of U.S. Reporting Population Living in Counties of Differing Population Sizes*	Percent of Total Reported Crime Reported by Counties of Differing Population Sizes*	Total City-County Block Grant Funds Awarded to Counties**		Total City-County Discretionary Funds to Counties of Differing Population Sizes**	
			$	%	$	%
Over 100,000	9	8	239,891,049	21	37,835,243	18
25,000-100,000	12	6	105,185,666	9	8,382,987	4
Under 25,000	9	3	107,210,419	15	8,770,163	4
Unknown	0	0	19,480,785	2	7,924,726	4
TOTAL	30	17	534,767,919	48	62,913,119	30

*U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports*, (Washington, D.C.: Government Printing Office, 1973), Table 10, pp. 104-7. NOTE: These population and crime percentages relate only to county population living outside of cities and the crimes reported by jurisdictions other than cities.

**Source: GMIS data.

of the population and experienced 18 percent of reported municipal crime, but received 16 percent of the Part C block grant funds awarded to local units of this type. Hence, it would seem that the Part C block grant funds provided to cities have been distributed in close proportion to the amount of crime they are actually experiencing.

Another issue throughout the history of the program has been the proportion of total local pass-through funds awarded to cities compared to counties. It has been argued that cities have received less than an adequate share of funds given their population, crime volume and law enforcement responsibilities. While Table V-8 shows the distribution of the aggregate city share of pass-through dollars among larger and smaller jurisdictions relative to their crime rates, Tables V-9 and V-10 indicate the overall proportion of city and county awards to localities of different size in light of their population and crime rates.

Although the larger cities are receiving a greater percentage of the funds awarded to cities in proportion to their higher crime rates, the figures in Table V-9 suggest that, overall, cities are not receiving a percentage of pass-through funds proportionate to their share of total crimes. While cities account for 83 percent of total reported crimes and 70 percent of the population, jurisdictions of this type have received only 52 percent of the total block grant funds awarded to cities and counties from FY 1969 to FY 1975. On the other hand, Table V-10 indicates that suburban and non-suburban counties have received a disproportionate share of Safe Streets monies in view of their population and crime rates.

There are several possible reasons for these differences. First, counties have substantial responsibilities of their own in the law enforcement, judicial and detention areas. In addition to functions performed in unincorporated areas, counties provide some criminal justice services to smaller municipalities within their boundaries. This may account for the relatively large percentage of total city-county Safe Streets funds awarded to counties. A related factor, noted earlier, is the declining Federal support for police activities over the years, which may have reduced the amount of monies available for the cities.

A second explanation is that city crime reporting is more complete than that of counties due to a greater data collection capacity and more law enforcement personnel at the city level. It should be noted again that the uniform crime reporting system has been criticized for incomplete reporting, particularly from smaller jurisdictions.

A third reason for the large percentage of funds awarded to counties is the trend toward consolidating criminal justice and law enforcement services at the county level, eliminating duplication among smaller jurisdictions. Communications projects and correctional programs are examples of this trend. Thus, many Safe Streets activities undertaken by

the counties are often of direct benefit to, and at the request of, cities.

Finally, the funding pattern highlighted in Tables V-9 and V-10 implies a separation of city and county activities, whereas the purpose of the act was to promote coordination and eliminate duplication. It is possible that the present funding balance fosters and reflects a more appropriate division of responsibilities between cities and counties, with the former assuming a major law enforcement role and the latter occupying a key position in courts and corrections.

Given the overlapping geographical areas and jurisdictional responsibilities of cities and counties, it may be useful to combine county and city funding for analytical purposes. When this is done, a more balanced block grant distribution pattern emerges. Combining Tables V-9 and V-10 for cities and counties over 100,000 population indicates that these jurisdictions contain 41 percent of the reporting population, 54 percent of the total reported crimes and received 50 percent of the block grant funds awarded to local governments. Thus, it appears that the larger jurisdictions are receiving Safe Streets funds more closely proportionate to their percentage of total crime than their percentage of total population. (Refer to Appendix V-2, p.167, for a state-by-state breakdown of city funding, population and crime data.)

This finding is even more striking when the distribution of Part C discretionary funds is considered. Approximately 77 percent of all discretionary funds awarded to cities and counties went to jurisdictions over 100,000 population, a figure well beyond their population and crime percentages of 41 percent and 54 percent, respectively. It appears that any gaps in the distribution of Safe Streets block grants to large urban jurisdictions have been filled by discretionary funds.

Despite the fact that Safe Streets monies have been directed to high-crime areas, the SPAs surveyed reported that a total of only 30 percent of their projects and programs could be described as having a direct effect on reducing or preventing crime, although they thought that 48 percent were having an indirect effect. Sixty-one percent of their activities, on the other hand, were considered to be directly related to improving the criminal justice system. This also was found to be the case during the field interviews; many officials expressed the

Table V-11

Safe Streets Part C Block Grant Funds Awarded to Major Functional Components of the Criminal Justice System
FY 1969-1975

(In Thousands)

Fiscal Year	Police		Courts		Corrections*		Combinations		Non-Criminal Justice Agencies	
	$	%	$	%	$	%	$	%	$	%
1969	15,353	66	1,584	6	2,450	10	2,597	11	1,113	4
1970	86,300	49	11,337	6	38,673	22	27,856	15	11,317	6
1971	140,075	40	32,079	9	97,820	28	50,269	14	23,932	6
1972	169,485	42	60,566	15	96,642	24	29,289	7	41,073	10
1973	180,993	43	60,570	14	101,340	24	43,098	10	34,072	8
1974	130,567	36	61,994	17	80,822	22	49,051	13	34,479	9
1975	36,533	43	14,950	17	17,982	21	9,833	11	4,756	5
1969-1975	759,307	42	243,081	13	435,729	24	211,995	11	150,745	8

*In 1971, substantial funds were made available for corrections under a separate amendment to the Safe Streets Act (Part E). These funds are not included in this table but are discussed in a separate section of the report.

Source: GMIS data.

view that a significant reduction in crime was an unrealistic goal of the Safe Streets program, whereas system improvement was a more appropriate and feasible objective.

CRIMINAL JUSTICE FUNCTIONAL COMPONENTS RECEIVING BLOCK GRANT FUNDS

Another major source of controversy throughout the life of the Safe Streets program has been the proportion of funds awarded to the different functional areas of the criminal justice system—principally the police, courts and corrections components. Using the data from GMIS, Part C subgrants were classified into five categories (see Table V-11).

As Figure V-1 illustrates, police funding dominated the early years of the program and has declined and stabilized since. Support for corrections and courts activities also appears to have stabilized, with the former declining very slightly and the latter increasing somewhat in recent years. The stabilization in the percentage of Part C funds for corrections after 1971 may reflect the effect of the additional funds for this functional area provided by the Part E amendment. The actual drop in the percentage of Part C funds for corrections in 1974 and 1975 is difficult to explain in view of the requirement that this level of percentage effort be maintained in order for states to qualify for Part E funds.

Since broad categories are used here, many activities that do not directly relate to police, courts or corrections are included in the most relevant category. For example, funds awarded for defense and prosecution activities are included in the "courts" category, even though they often are not a responsibility of the judiciary. This is particularly important to note in light of the recent claims by court officials that activities related directly to the judiciary are not receiving an adequate share of Safe Streets funds. In testimony before the Senate Subcommittee on Criminal Laws and Procedures, Chief Justice Howell Heflin of Alabama, Chairman of the Federal Funding Committee of the Conference of Chief Justices, indicated that an overall figure of six percent would more accurately reflect the funding level for the judicial branch.[3]

When Part C block grant funding for the criminal justice components is examined on a state-by-state basis, wide differences are noted. As Appendix V-3 (p. 169) shows, support for police activities ranges from 15 percent in the District of Columbia and 22 percent in New York to 60 percent or more in Alabama, Nevada, New Hampshire and North and South Carolina. The courts' share ranges from six percent in Montana and Puerto Rico to 22 percent or more in Delaware, the District of Columbia and Missouri. Similarly, the percentage of block grant funds awarded in the corrections area varies from 10 percent in South Carolina to 36 percent in New York and 37 percent in the Virgin Islands.

Figure V-2 indicates the breakdown of direct state and local criminal justice expenditures by functional areas as compared with Safe Streets funding. Although the large amount of funds in the "other" category somewhat distorts the findings, it appears that smaller percentages of Part C block grant funds have been used in the police and courts categories than would be expected from the overall pattern of state/local outlays. This difference could result from the large amounts of personnel expenditures by police departments and the courts, which the Safe Streets Act specifically discourages. In making this comparison, it should be noted that there is no particular reason why Safe Streets awards should follow the pattern of state and local criminal justice funding. Indeed, given the emphasis in the act on corrections and juvenile delinquency programs and innovative activities, it is not surprising that differences would appear. At the same time, these figures partially refute the charge that the SPA funding decisions merely reflect the relative power position of the various components of the criminal justice system within each state.

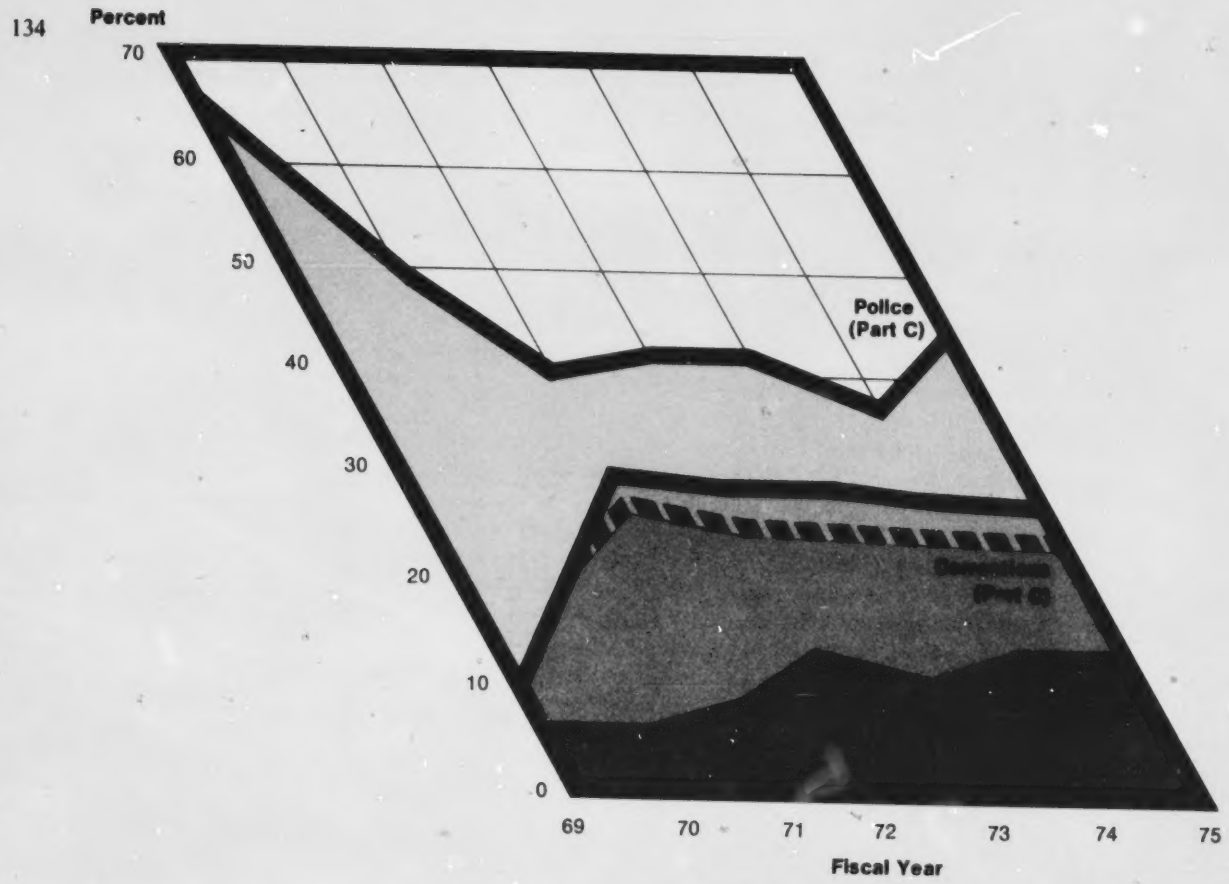
In an attempt to gauge the nature of the activities supported with Safe Streets funds, SPAs were asked to describe their projects according to the extent that they were "innovative." The replies from 44 states indicate that, in the opinion of the SPAs, nine percent of their projects represented pilot or demonstration efforts that had never been attempted anywhere. Fifty percent were programs that had never been attempted in the state, of which 21 percent were classified as innovative and 29 percent as generally accepted undertakings. The remaining 41 percent represented generally accepted programs and activities that had already been implemented in other parts of the state.

These figures are similar to the results of the analysis of a sample of grants in the 10 states selected for field study. That analysis also revealed, however, that more than two-thirds of the activities that had been implemented in other areas of the state had not

Figure V-1

Trends in Police, Courts, and Corrections Safe Streets Block Grant Funding

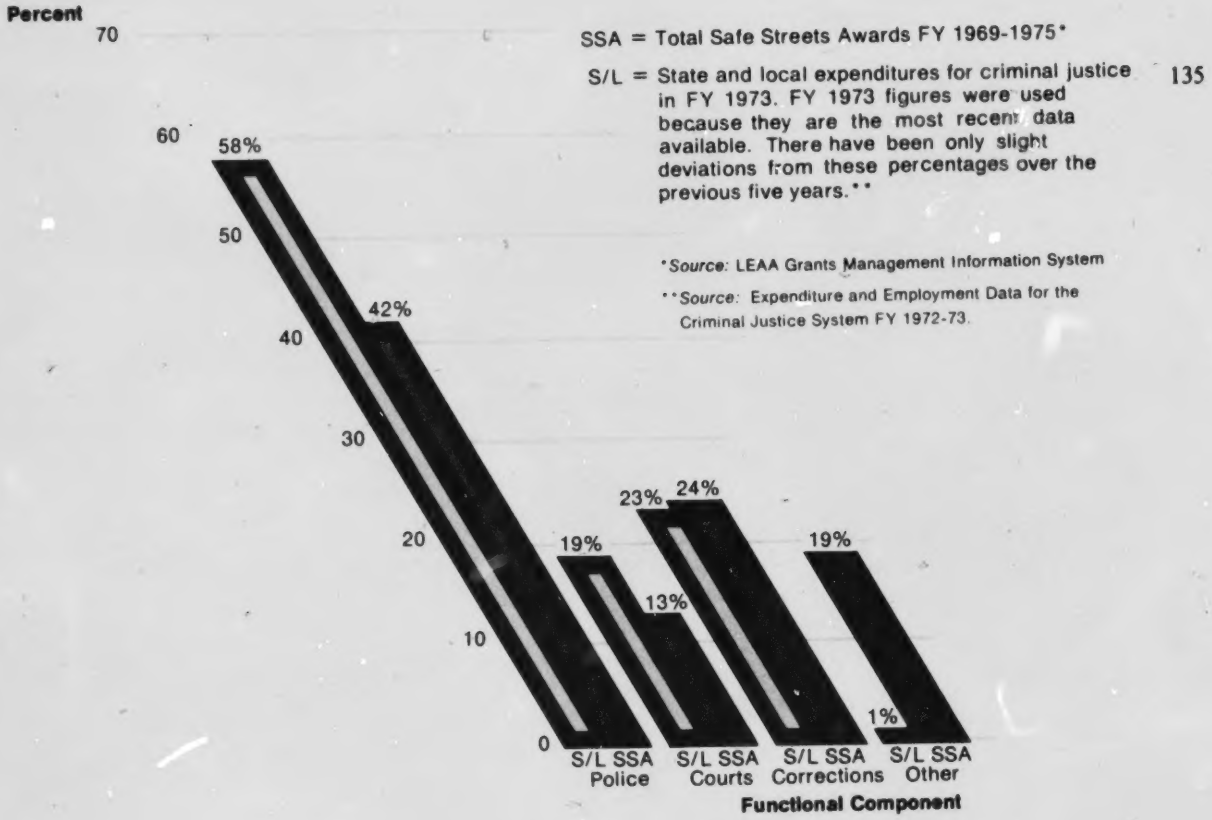
FY 1969-1975



Source: LEAA Grants Management Information System data

Figure V-2

Comparison of State and Local Direct Criminal Justice Outlays with Safe Streets Funding, by Functional Component



SSA = Total Safe Streets Awards FY 1969-1975*

S/L = State and local expenditures for criminal justice in FY 1973. FY 1973 figures were used because they are the most recent data available. There have been only slight deviations from these percentages over the previous five years.**

*Source: LEAA Grants Management Information System

**Source: Expenditure and Employment Data for the Criminal Justice System FY 1972-73.

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been attempted in the jurisdiction receiving the funds.

When asked to estimate the percentages of their projects that could be classified as routine activities of state or local agencies and ordinarily would be supported by state or local funds, as against those that would be classified as supplemental activities not normally supported by such funds, the SPAs believed that approximately three-fourths were supplemental and fewer than one-fourth were routine undertakings.

General Revenue Sharing Funds

As part of ACIR's surveys, SPA and local officials were asked to compare the criminal justice activities supported with Safe Streets funds with those supported with general revenue sharing (GRS). Other studies of GRS have indicated that a substantial percentage of such monies (perhaps as much as one-third) has been used for public safety.[4] Given this situation and the urging from some quarters to change the Safe Streets block grant program into a revenue sharing approach, a comparison of the uses of the two funding sources is warranted.

Most SPAs either did not know the extent to which GRS had been used for criminal justice activities or thought that very few if any revenue sharing dollars went for such purposes. Twelve SPAs, however, reported that GRS funds supported construction and renovation of police, court, and corrections facilities, and "one-time" expenditures such as hardware purchases. Two thought that GRS funds also had made personnel additions possible. Five SPAs also indicated that revenue sharing had been used to support routine operations of law enforcement agencies, to supplant local budget efforts and to reduce the tax burden of localities. Safe Streets funds, on the other hand, were used to support programs with little or no emphasis on construction, according to the SPAs.

When asked to describe the differences, if any, in the way GRS and Safe Streets dollars had been used, 206 localities responding indicated the following:

GRS Funds are Used for:

- Support of normal operations, existing programs or salaries of local personnel (67);
- Capital expenditures and equipment purchases (58);
- Support of law enforcement projects when Safe Streets funds are not available (26);
- Property tax relief or to avoid budget deficit (10);
- Other than criminal justice purposes (10).

Safe Streets Funds are Used for:

- New or innovative programs or programs to improve the criminal justice system (65);
- Specific projects, operations and services as opposed to capital expenditures (48);
- Equipment and hardware (26);
- Police activities (10).

These findings are consistent with other studies of the public safety uses of GRS, particularly the large amounts of revenue sharing funds used for capital outlays and the support or expansion of existing services.[5]

A recent study of the use of GRS funds for law enforcement by the Brookings Institution confirms ACIR survey results.[6] The Brookings study found that, although substantial amounts of GRS funds were officially reported as being used for public safety and law enforcement purposes, less than one quarter of this amount went for new, additional spending for public safety. The remainder was used for a variety of other purposes, including tax cuts or stabilization, program maintenance or the restoration of Federal aid. The study concludes that law enforcement, possibly because of its high visibility and political appeal, is an area in which the official designations for GRS funds may not always reflect new expenditures but may be a substitute for local funds diverted to other uses.

The study also revealed that capital expenditures predominated over operational expenditures among new uses for GRS funds, although there was a strong shift toward operational purposes from 1973 to 1974, the two years considered in the Brookings study. This change may reflect the fulfillment of most capital needs or the increased fiscal pressures that force localities to use GRS funds to cover operating expenses. The fact that those jurisdictions facing greater fiscal pressures report more expenditures for public safety operation and maintenance suggests the latter possibility. These fiscally hard-pressed jurisdictions also show the greatest differences between GRS funds reportedly spent on law enforcement and those actually allocated, reflecting both the wide-

spread substitution of GRS funds for local revenues and the problem of tracking revenue sharing expenditures.

The Brookings study also found a strong reluctance among local officials to use GRS funds to initiate long-term programs, and a preference for one-time expenditures, due to the fear of termination of GRS funding. The authors speculated, however, that this concern may be used as an excuse by some local officials who wish to use GRS funds for construction purposes rather than risk the defeat of a bond issue.

In summary, a comparison of ACIR's findings concerning the use of LEAA block grant funds with the findings of the Brookings Institution study suggests the following:

1. Much less GRS funds are used for new law enforcement activities than we are led to believe from local actual use reports.
2. GRS support for law enforcement takes the form of capital items and one-time expenditures, which entail no long-term commitment. Safe Streets block grant funds, on the other hand, are more often used for new service activities that have not been attempted before in the recipient jurisdiction.
3. GRS funds are often used interchangeably with and as a supplement to local revenues in supporting normal operations, whereas Safe Streets funds are more often used for new non-routine activities and are not used interchangeably with local revenues.

When asked whether the SPA or the RPU have played any role in determining the use of GRS funds at the state or local levels, only three percent of 1,096 city and county officials and none of the SPAs thought that this had occurred. One-third of 336 RPUs, on the other hand, reported that they played some role in influencing the use of local GRS funds, but only seven percent of the localities responding and two SPAs (Illinois and Delaware) thought that the RPU had played a part in these decisions. ACIR field interviews indicated that this role was usually limited to providing assistance and information to law enforcement and criminal justice officials. In some cases the RPU staff would work with local officials to encourage the use of GRS funds to support activities that were no longer receiving Safe Streets funds. This reinforces the impression gained in the ACIR case studies that the SPAs and RPUs focus their planning efforts almost exclusively on the distribution of Safe Streets funds.

Supplantation

An issue in all Federal grant programs is whether they stimulate further spending by state and local governments or are used as a substitute for existing state and local expenditures, thereby reducing the amount (or percentage) of state and local outlays in the area. The rather sharp distinction in the use of Safe Streets and GRS funds, which was also found during the field visits, is significant. It indicates that Safe Streets dollars are used to stimulate new and innovative efforts rather than as a substitute for present local criminal justice expenditures. In contrast, GRS funds have been used far more often to substitute for local revenues in supporting normal operations and existing programs, particularly construction projects. This stimulative impact was an important goal of the Safe Streets Act, and it appears to have been communicated to the local level.

In an attempt to gather additional information on the stimulative or substitution effects, state and local expenditures were examined for any changes that might be attributable to Safe Streets funds. As can be seen in Table V-12, state and local expenditures remained relatively stable during the years 1971, 1972 and 1973, the only years for which reliable data were available.[7] It is difficult to say whether the slight increase in county expenditures and a similar decrease in city expenditures could reflect the stimulative and substitution effects of Safe Streets funds at those levels. It could well reflect increases in suburban crime relative to central city crime in those years.

Similarly, it is difficult to determine whether the decline in the percentage of funds awarded to corrections reflects a substitution of Part E funds, which were initially distributed in 1971. Given the relatively small amount of Safe Streets funds, however, it is doubtful whether any major substitution or stimulative effect could be expected.

In response to a survey question regarding the substitution effect of Safe Streets funds, responding SPAs indicated that direct supplantation of local funds with Safe Streets monies to support routine local expenditures rarely occurs. Only four states reported that supplantation occurred sometimes at the state level and one thought, often; seven SPAs

Table V-12

State and Local Criminal Justice System Direct Expenditures
FY 1969-1973

	1969	1970	1971	1972	1973
	%	%	%	%	%
By Type of Government*					
U.S., Total	3.2	5.8	8.4	8.3	8.5
State	4.6	2.9	3.3	3.4	3.6
Local, Total	12.0	6.6	12.1	11.8	11.9
Counties	NA	NA	10.4	10.5	10.9
Municipalities	NA	NA	12.8	12.4	12.2
By Functional Area*					
Police	60.4	59.2	57.6	58.1	57.5
Courts	19.7	19.1	18.2	18.3	18.7
Corrections	19.9	21.4	23.4	22.4	22.6
Other	—	0.4	0.7	1.2	1.2

NA = Not Available.

*Criminal justice direct expenditures as a percent of total state and local general expenditures.

**Percent of state and local direct criminal justice expenditures awarded to police, courts, corrections and other.

Source: U.S. Department of Justice and U.S., Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1970-71, 1971-72, 1972-73* (Washington, D.C.: Government Printing Office).

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thought it occurred sometimes at the local level. Similarly low estimates of the extent of substitution were offered by local and regional officials. Of 1,226 cities and counties responding to this question, 19 (two percent) indicated that supplantation occurred often, while 136 (11 percent) thought that it happened sometimes. Of the 349 RPUs responding, nine (three percent) indicated that a substitution effect was a common fiscal result at the local level and 41 (12 percent) thought that it sometimes occurred. However, the RPU responses differed from the SPA replies in that more RPUs (36 percent) claimed that supplantation occurred either often or sometimes at the state level more frequently than at the local level (14 percent). More SPAs (eight) thought that the substitution of Safe Streets funds for those of recipient jurisdictions took place at the local rather than at the state level (four). This pattern could simply be a case of each level of government magnifying the alleged transgressions of the other.

DISTRIBUTION OF PART C DISCRETIONARY FUNDS

It is useful to compare the distribution of block grant funds and LEAA discretionary monies, which account for 15 percent of Part C and 50 percent of Part E appropriations and are distributed by the LEAA administrator. In effect, discretionary funds represent categorical grants from the Federal government. Appendix V-4 (p. 170) shows the discretionary funds received by each state over the past seven years, together with the state's percentage of the total population which, as indicated earlier, is the basis for annual block grant allocations to the states.

Several of the larger states (Pennsylvania, Illinois, California) received a smaller percentage of discretionary funds than their population ranking, while some of the moderately populous states (Colorado, New Jersey, Georgia) and the District of Columbia received a larger proportion. Yet, it should be noted that all three of these latter states contained Impact Cities, which received a total of more than $40 million of LEAA discretionary funds.

Viewing the data another way, of the 50 states and the District of Columbia, the 18 smallest contained seven percent of the population, yet received 16 percent of the discretionary funds. On the other hand, the nine largest states had 51 percent of the population, but were awarded 46 percent of the discretionary funds. Discretionary funds, then, have been di-

Table V-13

Distribution of Part C and E* Discretionary and Block Grant Funds, by Percent Awarded to Type of Recipient FY 1969-1975

Type of Funds	Federal	State	Cities	Counties	Private Agencies
	%	%	%	%	%
Part C Funds					
Discretionary	1	42	35	15	7
Block Grant	0	35	33	30	3
Part E Funds					
Discretionary	0	60	20	17	3
Block Grant	0	74	5	20	1
Total					
Discretionary	1	48	30	16	6
Block Grant	0	37	31	29	3

*Part E funds represent those funds appropriated under Part E of the Safe Streets Act and designated for the support of specified corrections activities. A separate discussion of Part E funding is presented in a subsequent section.

Source: GMIS data.

rected more toward the smaller rural states than the larger urban states. The small state supplemental allocations, made annually by LEAA from discretionary funds to the 15 smallest states and territories, probably account for this pattern. These allocations have totaled almost $38 million since 1971.

Yet, as was noted earlier, it was not the intent of Congress to have LEAA discretionary funds distributed on a population basis. Therefore, the above analysis may be less significant than a comparison of the distribution of block grant as against discretionary funds among different types of recipients. Table V-13 compares the distribution of these two types of funds among the state agencies, cities, counties and private agencies. (Private agencies usually represent independent, non-profit agencies such as the YMCA, YWCA, Big Brothers, Urban League, Goodwill Industries, neighborhood youth organizations, crisis intervention and counseling centers, drug and alcohol agencies, etc.)

Clearly, state and private agencies have received proportionately more discretionary than block grant funds. The reverse applies to counties, possibly because LEAA has awarded a large percentage of its Part E discretionary funds to states because of their strong role in corrections.

Table V-14

Distribution of Part C Discretionary and Block Grant Funds by Percent Awarded to Criminal Justice Components FY 1969-1975

	Police	Courts	Corrections	Combinations	Non-C.J. Agencies
	%	%	%	%	%
Discretionary	38	18	12	26	6
Block Grant	42	14	24	12	8

Source: GMIS data.

In Appendix V-5 (p. 171), the allocation of discretionary funds to cities and counties of different population categories is shown vis-a-vis block grants. Unlike Part C dollars, which are distributed roughly proportional to population and crime rates, discretionary funds are chiefly targeted on large urban areas. More than 68 percent of the discretionary funds disbursed to substate units between 1969 and 1975 was awarded to cities and counties over 250,000 population, which contained a total of 29 percent of the population. Seven percent was given to localities under 50,000, which account for 49 percent of the nation's inhabitants. Thus, despite the fact that discretionary funds appear to be directed toward the smaller states, it seems that at the local level, the overwhelming majority of discretionary funds is awarded to the larger urban areas.

Comparing the distribution of block grant and discretionary funds among the different components
140 of the criminal justice system is made difficult by the fairly sizeable amounts of funds that have been awarded to multi-purpose undertakings, especially under the discretionary program (notably the Impact Cities effort). The data in Table V-14 indicate that, aside from the awards given to such joint efforts, the greatest percentages of Part C discretionary and block grant funds are awarded to the police area. The next highest percentage of discretionary funds is awarded to the courts, and the next highest percentage of block grants, to corrections. This pattern could result from the large percentage of Part E discretionary funds available for corrections which, in turn, allows LEAA to concentrate Part C discretionary funds on police and courts.

To determine the SPAs' views regarding LEAA discretionary grants in their states, they were queried as to the percentage of these funds that had been used for various program purposes. Table V-15 highlights the range of responses from 40 SPAs. In the view of the SPAs, only a small percentage of discretionary funds has been used for existing programs or to build local support. The greater proportion has supported innovative and research programs and filled gaps in block grant funding.

Local officials, responding to the same question phrased slightly differently, responded similarly, as can be seen in Table V-16.

This basic agreement between local officials and the SPAs tends to confirm the case study findings that discretionary funds are more often used to support innovative projects and research efforts than to continue existing programs or to build local jurisdictional support for Safe Streets.

Table V-15

SPA Views on the Use of LEAA Discretionary Funds

October 1975

Use	Percent*
To continue support of existing programs	7.7
To support innovative programs	41.4
To fill gaps in block grant funds	29.1
To build local jurisdiction support for the programs	4.6
Research, demonstration and pilot programs	27.5

*These percentages total more than 100 percent because of multiple responses by some states.
Source: ACIR 1975 Safe Streets survey.

It should be noted that there have been charges that LEAA's discretionary funds have been used in some instances to buy political support for the program from certain larger jurisdictions[8] and interest groups.[9] For instance, it has been suggested that the two large discretionary grants awarded to the City of Philadelphia under Mayor Frank Rizzo were designed to garner Rizzo's support for President Richard M. Nixon in the 1972 election campaign. The amount of funds awarded to the 26 largest cities relative to the amount of population and crime in those cities was examined in an effort to discover whether there were any significant differences in the distribution of discretionary funds based on the political affiliation of the mayors or their support of President Nixon. While it was difficult to analyze the data because of the relatively large amounts of funds awarded to eight cities under the Impact Cities program (only one of which was under Republican control) there does not appear to be any systematically unusual flow of funds to either the small number of Republican mayors or to other mayors who supported the President in 1972. Excluding monies distributed to the Impact Cities, the allocation of discretionary funds to the 26 cities over 500,000 population closely reflects the amount of crime and population in those cities, as shown in Table V-17. A closer examination of pre- and post-election-year discretionary funding (1971 and 1973) also shows no distribution along political lines. Although these

Table V-16

Local Views on the Use of LEAA Discretionary Funds

October 1975

Use	Always or Often	Some-times	Rarely or Never	Not Applicable
	%	%	%	%
To support existing programs	13	13	52	22
To support innovative programs	31	19	29	20
To build local jurisdictional support	10	15	50	26
Research, demonstration and pilot programs	23	18	39	21

Source: ACIR 1975 Safe Streets survey.

Table V-17

Distribution of Part C Discretionary Funds to Cities Over 500,000 by Political Affiliation of Mayor (Impact Cities Excluded) FY 1969-1975

	Population in Cities With Mayors Registered as:	Crime in Cities With Mayors Registered as:	Funds Awarded to Cities With Mayors Registered as:
	%	%	%
Democrats	69	69	70
Republicans	6	6	5
Liberal-Indep.*	23	22	24
Unknown	1	2	1

*The large percentage of population in cities having Liberal or Independent mayors consists primarily of the New York City population under Mayor Lindsay from 1969 to 1973.

Source: GMIS data.

Table V-18

Distribution of Part E Funds, by Type of Recipient FY 1971-1975

	Formula		Discretionary	
	$	%	$	%
Federal	0	0.0	542,707	0.3
State	90,869,747	74.0	126,289,872	60.0
Cities	5,706,738	5.0	42,723,597	20.0
Counties	24,040,858	20.0	35,204,479	17.0
Private agencies	1,475,532	1.0	5,238,206	2.0
TOTAL	122,092,875		209,998,861	

Note: Because in each fiscal year 50 percent of Part E funds are granted to the states by formula and 50 percent are retained by LEAA and distributed in the form of discretionary grants, the differences in the totals shown above reflect both a slower rate of using Part E funds and a lower degree of GMIS reporting by the states. While almost all Part E discretionary funds have been awarded and reported to GMIS, less than 70 percent of the Part E formula funds have been awarded, and less than 80 percent of the funds awarded have been reported to GMIS.

Source: GMIS data.

data do not rule out the possibility that political considerations other than party affiliation or support for President Nixon could have affected the allocation of discretionary funds, it does appear that these two factors did not substantially affect this pattern.

DISTRIBUTION OF PART E FUNDS

In the 1971 amendments, in response to increasing pressures to direct funds toward the expansion and improvement of rehabilitative and correctional services, Congress added a special Part E category of funds to the Safe Streets Act; the amounts available have ranged from 15 to 20 percent of the total Part C block grant appropriation. Part E funds are used solely for corrections-related activities. Fifty percent of these funds are grants allocated to the states according to a population-based formula. The remainder are discretionary funds, used by LEAA for direct grants to state and local governments.

Table V-18 indicates the percentages of Part E dollars awarded by the states to various local units over the past four years as compared to discretionary funds. A slightly greater percentage of Part E formula grants is awarded to counties, and a greater percentage of Part E discretionary funds is awarded to cities. Unlike Part C distribution, more Part E formula grants than discretionary funds are awarded to state agencies.

A comparison between corrections expenditures by different levels of government and the distribution of Part E funds (Table V-19) tends to confirm that, relative to state and local corrections outlays (FY 73), the states have received the major share of formula grant awards. LEAA, on the other hand, has devoted a greater percentage of Part E discretionary dollars to cities. Under both funding sources, counties received less than a proportionate share. Yet, as was mentioned earlier, it is debatable whether Safe Streets funds necessarily should follow the overall pattern of state and local corrections expenditures.

Appendix V-6 (p.172) shows the percent of Part E discretionary funds received by each state relative to its portion of the nation's population. There appears to be no particular trend other than that many of the larger, more urban states (California, New York, Pennsylvania, Michigan) appear to receive a smaller percentage of the Part E discretionary funds than their population rank would indicate. However, the figures in Table V-20 indicate that, as is the case with Part C monies, the majority (63 percent) of the Part E discretionary funds is awarded to local jurisdictions over 250,000. Only 32 percent of the Part E formula grants go to such areas. As would be expected, formula grants more closely reflect the distribution of both population and crime, while discretionary funds focus on large urban areas experiencing the worst crime problems and on small, rural states.

ADMINISTRATION OF SAFE STREETS FUNDS

Block grant funds awarded by LEAA to the states are in turn subgranted by the SPA to state agencies and local governments (and in some cases to nonprofit agencies and regional planning units) for carrying out various crime reduction or system improve-

Table V-19

Distribution of Part E and Direct Corrections Expenditures, by Type of Government FY 1971-1975

	Formula*	Discretionary*	Total	State/Local Direct Corrections Expenditures**
	%	%	%	%
State	74	60	66	60
Cities	5	20	15	11
Counties	20	17	18	29
Private agencies	1	2	2	0

*Source: GMIS data.

**U.S. Department of Justice and U.S. Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System, 1972-73* (Washington, D.C.: Government Printing Office, 1975), Table 7, p. 30.

Table V-20

Distribution of Part E Discretionary and Formula Funds by Population Size of Recipient Jurisdiction FY 1969-1975

			Cities***		Counties***		Total Cities/Counties***	
Size of Population	Percent of Population*	Percent of Crime**	Percent of Formula Funds	Percent of Discretionary	Percent of Formula Funds	Percent of Discretionary	Percent of Formula Funds	Percent of Discretionary
Over 1,000,000	13	18	40	9	8	2	14	6
500-1,000,000	9	14	13	59	11	13	12	38
250-500,000	7	11	8	15	6	25	6	19
100-250,000	10	14	6	6	18	21	16	13
50-100,000	12	14	4	2	14	6	12	4
25-50,000	12	12	8	2	5	6	5	4
10-25,000	15	11	3	2	12	10	10	6
1-10,000	22	7	3	1	18	9	15	5
Unknown	—	—	15	5	8	7	9	6

*U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population*, Vol. I (Washington, D.C.: Government Printing Office, 1972), Table 6, p. I-45.

**U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1973), Table 10, pp. 104-105.

***LEAA GMIS data.

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ment activities pursuant to the state's approved annual plan. In some states, the plan specifically identifies projects that will be funded; in others, only broad program categories and dollar allocations are set forth. While these basic approaches reflect the degree to which project funding commitments have been made during the planning process, all states require applications to be developed, reviewed and approved prior to the actual disbursement of funds.

The grants administration process, while varying greatly from state to state, generally consists of four major steps: the development of applications by potential grantee agencies, the review and approval of applications by regional planning units and the SPA, the disbursement of funds, and the fiscal and programmatic monitoring of project performance. As the comparative analysis of the 10 case study states points out, grants administration (the distribution, management and control of Safe Streets funds) is a major and important SPA function demanding a significant portion of staff time.

Based on the SPA responses to the ACIR questionnaire, there appears to be little uniformity among the states as to the frequency with which grants are awarded. Six SPAs indicated that this is done weekly or even more frequently; at the other extreme, seven said that grants were awarded only once during the year. Twenty-six SPAs make these decisions on a monthly basis; seven others use either a bimonthly or quarterly schedule. Factors influencing the frequency of grant awards include the sheer volume of applications to be processed and the degree to which the SPA supervisory board takes an active role in the review and approval or denial of each application.

Some states criticize the frequent grant award cycles of other SPAs, contending that planning functions are necessarily relegated to secondary importance by the continous review of project applications. On the other hand, others believe that awarding grants on an annual basis does not allow sufficient time for staff and supervisory board members to adequately assess each application, since they must review and decide upon several in a short period of time. Some cities and counties are also critical of annual funding, asserting that it restricts their ability to respond to changing local needs and priorities. All these viewpoints have merit. The key issue appears to be how best to strike a balance between a responsive and flexible process and one that is also efficient and keeps within bounds the demands placed on the SPA's time, attention and energy.

Forty-six of the states responding to the ACIR questionnaire usually award grants for an average duration of one year; two states, for a 14-month period; two states, for two years; and one, for an average period of three years. A few states noted that awarding grants for one-year periods resulted in frequent requests for grant extensions, due to start-up delays by grantees. A one-year funding period also results in decisions concerning second-year funding being made with incomplete knowledge about the project's experience.

Most states have established fairly routine procedures for the review and approval of grant applications. Although the application flow differs greatly among the states, the following description, although greatly oversimplified, provides a general overview. Applications from localities are usually initiated by an operating agency (for example, the police department), often with the assistance of a local or regional
144 criminal justice planner. Occasionally SPA staff are involved in the preparation of applications. After endorsement by the local governing body or chief executive, applications are forwarded to the regional planning unit for review and comment by staff, subcommittees and policy boards. If the RPU does not have review authority under Office of Management and Budget Circular A-95, the application must also be sent to the appropriate metropolitan or regional clearinghouse for review and comment. Subsequently, applications are transmitted to the SPA where the staff reviews them from the standpoint of compliance with LEAA technical and administrative requirements and SPA policies, budgetary feasibility, adherence to the annual plan and programmatic merit. Some applications are sent to other state agencies for their review and comment, such as proposed drug and alcohol programs. Finally, applications (or summaries) are transmitted to the supervisory board with the SPA staff recommendation to approve or deny. The process for state applications is essentially the same with the exception of the review by regional planning units, although some states have procedures whereby regions comment on state applications having a local impact.

SPAs were asked to estimate the number of weeks required for specific steps in the award process. While there were wide variations among the states, the estimated average time for local applications was as follows: 4.4 weeks to develop the application, 3.1 weeks for review and approval by the RPU, 3.2 weeks for A-95 clearance, 5.6 weeks for review and approval by the SPA, and 4.9 weeks from this time of award until the receipt of funds by the subgrantee. The total time, from development of the application through the receipt of funds, was estimated at 18.4 weeks. This does not equal the total time of the above steps because some of the steps take place concurrently.

The elapsed time for the award of state agency grants is somewhat less than that for local applications, probably because there is no need for RPU review. The average SPA estimates of the time for various steps in the review process for state applications was as follows: 5.0 weeks for the development of the application, 3.4 weeks for A-95 clearance, 5.7 weeks for SPA review and approval, and 4.9 weeks from the time of award until the receipt of funds by the subgrantee. The total time for state applications was estimated at 15.3 weeks. (Again, some of the above steps take place concurrently.)

Although delays in the award process were at one time a major concern in the Safe Streets program, the SPA directors surveyed indicated that there are presently no significant problems of this type.

The most frequently mentioned reasons given for the delays that had occurred in the award process were: (1) poorly developed or incomplete applications requiring revisions by either the SPA or the applicant, (2) the need to wait for the next RPU or SPA meeting to approve grant funds, (3) the A-95 review process, and (4) the slowness of some state disbursing and accounting systems.

As a result of earlier complaints about delays in grant processing, in a 1973 amendment to the act, Congress required that all applications be approved or disapproved by the SPA in whole or in part within 90 days of their receipt by the SPA. Failure to do so within this period results in the automatic approval of the grant and the award of funds.

ACIR's local survey found that 37 percent of the 1,176 jurisdictions responding to a question on the incidence of major delays in the grant award process since 1973 gave an affirmative answer. Thus, despite the development by all SPAs of procedures to insure that applications are acted upon within the prescribed period, some problems still appear to exist. During the field studies, for example, several local officials commented that the 90-day rule may have unintentionally increased the delays in the review process by forcing the SPAs to reject and return applications with minor deficiencies rather than risk the expiration of the 90-day period. At the same time, all states claimed that they approve or disapprove all applications within 90 days. Only three

Table V-21

Part B Planning Funds as a Percentage of Total Part B, C and E Block Grants Funds FY 1976

(In Thousands)

	Part B, C and E Funds	Part B Funds	Part B Funds as a Percent of Total Part B, C and E Funds
United States, Totals	522375	60000	11.5
Alabama	8718	1016	11.7
Alaska	993	276	27.8
Arizona	5180	677	13.1
Arkansas	5089	668	13.1
California	49813	4954	9.9
Colorado	8303	768	9.2
Connecticut	7599	909	12.0
Delaware	1577	332	21.1
Dist. of Columbia	3540	369	10.4
Florida	18806	1983	10.5
Georgia	11774	1309	11.1
Hawaii	2220	394	17.7
Idaho	2065	379	18.4
Illinois	27048	2773	10.3
Indiana	12942	1421	11.0
Iowa	7078	859	12.1
Kansas	5639	721	12.8
Kentucky	8194	966	11.8
Louisiana	9199	1062	11.6
Maine	2696	439	16.3
Maryland	9987	1138	11.4
Massachusetts	14131	1535	10.9
Michigan	21968	2285	10.4
Minnesota	9544	1095	11.5
Mississippi	5766	733	12.7
Missouri	11654	1297	11.1
Montana	1954	368	18.8
Nebraska	3883	553	14.2
Nevada	1524	327	21.5
New Hampshire	2108	383	18.2
New Jersey	17777	1886	10.6
New Mexico	2840	453	15.6
New York	43958	4393	10.0
North Carolina	12936	1420	11.0
North Dakota	1725	346	20.1
Ohio	26008	2673	10.3
Oklahoma	6612	814	12.3
Oregon	5531	711	12.9
Pennsylvania	28695	2930	10.2
Rhode Island	2523	423	16.8
South Carolina	6744	827	12.3
South Dakota	1838	357	19.4
Tennessee	10038	1143	11.4
Texas	28614	2923	10.2
Utah	2963	465	15.7
Vermont	1319	307	23.3
Virginia	11836	1315	11.1
Washington	8442	990	11.7
West Virginia	4496	612	13.6
Wisconsin	11105	1245	11.2
Wyoming	1047	281	26.8
American Samoa	272	207	76.1
Guam	423	221	52.2
Puerto Rico	6996	851	12.2
Virgin Islands	376	217	57.7

Source: U.S. Department of Justice, Law Enforcement Assistance Administration, FY 1976 Planning Guidelines.

(Missouri, New Mexico and Pennsylvania) reported having to award funds to a project because of the expiration of the 90-day period. Thus, the question of whether there are major delays in the SPA grant award process appears to be a matter of interpretation and jurisdictional viewpoint.

Administrative Cost of the Safe Streets Program

One of the most troublesome aspects of assessing Federal grant programs is their administrative cost. Safe Streets is no exception. Perhaps the most useful way to do so is to measure the costs associated with the delivery of funds from LEAA through the SPAs and RPUs to local recipients. This is facilitated by the congressionally mandated division of funds between Part B—to be used for planning and administration at the state, regional and local levels—and Parts C and E—to be used for action grants to state and local agencies. The $60 million of Part B funds (FY 1976) used by SPAs, RPUs and certain local agencies for planning and administration represent 11.5 percent of the total Part B, C and E block grant funds. This is a rough approximation of an administrative cost rate. (See Table V-21.)

As can be expected from the minimum base formula for Part B distribution and the addition of the small states' supplement, the administrative cost rate is usually higher in states with small populations. For example, the administrative cost rate is more than 20 percent in Alaska, Delaware, Nevada, North Dakota, Vermont and Wyoming. Of the $60 million of FY 1976 Part B funds allocated to the states, $24,577,437 (41 percent) was passed through to support the planning and administrative activities of regional planning units and large localities.

While this 11.5 percent figure gives some idea of the administrative cost, the formula excludes several items from consideration. Many states use some Part C funds to support criminal justice coordinating councils, regional planning councils, other local planning efforts and evaluation activities. While Part C funds may also be used for coordination and evaluation purposes, coordination and evaluation costs are considered to be administrative costs under most accounting methods. The match provided for Federal funds is also excluded here. In several states, the SPA receives state appropriations to administer the program, above and beyond the Federal funds and the required state match. Other state agencies, such as the treasurer's office or department of personnel, also provide services to SPAs that are considered to be administrative costs but are not included in these figures. Thus, the 11.5 percent figure could be viewed as a conservative estimate.

Determination of the activities to be included in an administrative cost rate is a very complex matter. Some SPAs believe the development of a comprehensive plan to be of intrinsic value and do not associate its formulation with the allocation and administration of funds. Other SPAs consider plan development costs to be necessary in order to receive and distribute action funds. Part B dollars also often support SPA activities, such as legislative initiatives, which are not related to Safe Streets funding. The difficulty in attributing various costs to administration becomes even greater when subgrantee administrative costs, both direct and indirect, are taken into account, but these of necessity are excluded for purposes of this analysis.

In addition to the 11.5 percent of block grant funds used for administration of the program, LEAA spends an additional two percent of the total appropriations for the Safe Streets Act as amended (see Table V-22). The administrative cost of the program has been increasing consistently at the national level even as the overall level of appropriations has stabilized.

The administrative cost rate at the Federal level is of the same magnitude as that found in the Head-start program (2.0 percent) and the Federal-aid Highway program (2.3 percent), but more than that found for some others, such as Title I of the Elementary and Secondary Education Act (0.1 percent) and the National School Lunch program (0.2 percent).[10] However, caution should be exercised in directly comparing Safe Streets with these programs, since different definitions may be used in determining their administrative cost, and they are categorical rather than block grants.

Matching Provisions

Another recurrent issue in the administration of Safe Streets funds is matching. Under the 1968 Safe Streets Act, the Federal share for all action programs (other than construction) could be up to 60 percent of the total cost of each undertaking; the remaining 40 percent had to be provided from non-Federal sources. However, the 40 percent "match," as the non-Federal share is termed, could be provided either in dollars or by "in-kind" goods and services. The 1971 amendments changed the match-

Table V-22

LEAA Administrative Costs

(In Thousands)

Year	Level of Total Appropriations	Appropriations for Administration and Management	Percent for Administration and Management
1969	63,000	2,500	4.0
1970	268,119	4,487	1.7
1971	529,000	7,454	1.4
1972	698,919	11,823	1.7
1973	841,166	15,568	1.9
1974	870,675	17,428	2.0
1975	887,171	21,500	2.4
TOTAL	$4,158,050	$80,760	1.9

Source: U.S. Department of Justice, Law Enforcement Assistance Administration, Office of the Comptroller, Budget Division.

ing ratio to 75 percent Federal and 25 percent non-Federal (once again, with the exception of construction) and also required that at least 40 percent of the required 25 percent match (or 10 percent of the total project costs) be appropriated money (termed "hard match"), as opposed to goods and services. In 1973, Congress once again changed the matching provisions of the act, so that at present up to 90 percent of total project costs may be supported by Federal funds, and at least 10 percent must be provided in cash from non-Federal sources. "Soft" or in-kind match was completely eliminated. The 1973 amendments also provided that states "buy in" to local projects by providing in the aggregate one-half of the required non-Federal match (or five percent of the total project costs). Construction projects require a 50-50 matching ratio, with the non-Federal share also to be in cash and with the same buy-in requirements. Under these provisions, a state generally must provide in cash 25 percent of the total costs of a local construction project (one half of the non-Federal share).

ACIR asked the SPAs to describe any differences they have noticed between the 25 percent in-kind matching requirements in effect prior to 1973 and the current 10 percent cash matching requirements, particularly in terms of applicants' willingness to provide matching funds and ultimately to assume project costs. Most SPAs thought that there were no such differences. However, those that did perceive a change commented that the provision of a cash match caused local officials to be more cautious in initiating projects with Safe Streets funds and to review proposed projects more carefully. This, they believed, resulted in greater local commitment to the projects and more willingness to assume costs later. They claimed that the cash match was easier to administer compared with the in-kind match, which posed problems of definition, administration and audit. Almost 90 percent of the 1,318 city and county respondents to this question also expressed satisfaction with the current matching requirements.

Thirty states reported no difficulty in obtaining legislative approval of the state buy-in and matching funds, while 14 had experienced some difficulty and seven (Alabama, Illinois, Louisiana, Missouri, Pennsylvania, Vermont and Guam) indicated great difficulty. Most problems appear to stem from increasingly tight state budgets, as well as a lack of understanding by the legislature of the consequences of a cutback in buy-in or matching funds. One state (Missouri) attributed its difficulties to legislators' resentment of the Safe Streets program.

Several states, on the other hand, reported that declining state revenues also are causing legislators to take more interest in the long-term consequences

of starting programs with Safe Streets funds. Four (Illinois, New Hampshire, Missouri and North Dakota) noted that their legislatures have sought greater control over Safe Streets funds, often through line-item approval of grants.

The change to cash matching requirements appears to have had some effect on the number of requests for Part C funds for construction. When asked whether this change had curtailed the number of requests for this purpose, more than half of the SPAs responded affirmatively: five SPAs said it had eliminated all requests; 11 stated it had reduced them sharply; four indicated a moderate reduction; seven believed the decline had been only slight; and 19 said there had been no change.

Fund Flow

The comparative analysis of the 10 case study states and the questionnaire responses both indicate
148 that most SPAs believe effective planning in the early years of the program was hindered by the initial rapid influx of Part C funds. Thirty SPAs rated this growth as "too rapid;" six as "not rapid enough;" and 15 as "about right." One SPA commented: "The rapid growth in availability of funds negated much of the need to develop rational planning and allocation processes. It encouraged the spending of money for the sake of moving it, created serious carryover problems and reinforced the SPA as a money giving agency rather than a criminal justice planning agency concerned with the improvement of the criminal justice system . . ." Another stated: "The development of a planning process at state and local levels was too complex a function to be done quickly and the rapid increase in action funds and the pressure to get them out complicated the situation." Still another said: "The program didn't allow enough time to develop statistical procedures; etc. Worst of all, absolutely no groundwork was laid for evaluation."

The extraordinary growth of Federal funds, particularly over the first three years of the program, also made it difficult for a number of states to absorb and expend the rapidly increasing grant monies. As was mentioned earlier, fund flow has been an issue in the Safe Streets program almost since its inception.

Responses from 43 SPAs indicated that in FY 1972 they reverted almost $4 million in Part C funds (about two percent of the total) back to the Federal government. ACIR's survey data, while not complete, suggest that the relative proportion of reverted (or "lapsed") funds to the total Part C block grant award has remained fairly stable from FY 1969 to FY 1972. Yet, it appears that there is a great deal of discrepancy among the states in their ability to fully utilize Safe Streets monies, in that certain states account for a disproportionate share of the total amount reverted. Moveover, a few states seem to experience more difficulty expending Part E corrections monies than Part C action funds, perhaps because of the special requirements placed on use of the former. These include a requirement that all corrections facilities constructed with Safe Streets funds separate juvenile from adult offenders, provide for treatment of drug and alcohol offenders and consult with the National Clearinghouse for Criminal Justice Planning and Architecture.

In order to determine the reasons for fund reversion, the SPAs were asked to indicate the factors contributing to the problem of lapsed or unused monies. As can be seen in Table V-23, the primary factor in the opinion of the SPA directors is project underspending, followed closely by the two-year life of block grant funds. Few SPAs thought that a lack of applicants or delays in the application or award processes significantly affected the reversion rate.

Continuation Funding

Based on responses to the ACIR survey, it appears that almost all (45) SPAs have now established policies regarding the number of years a project may be eligible to receive Safe Streets support. Three SPAs (Hawaii, Iowa and New Jersey) do not have specific continuation policies (the latter two indicated that continuation decisions are handled on a case-by-case basis), and eight did not respond. These policies generally range from two to five years, with the majority (30) calling for a maximum of three years funding with applicants assuming an increasing portion of the total costs over this period. The rationale for increasing the required match is to encourage state and local governments to gradually assume greater and greater financial commitments, so that when Federal funding terminates, projects can be fully sustained by general revenues. SPA continuation policies, however, vary greatly in their details. Many SPAs have provided for exceptions to the policy; for example, in a number of states, technical assistance and training activities are not covered. In at least one state, community corrections programs may be funded for a longer period than other types of activities. Some states also apply more re-

Table V-23

SPA Directors' Views on Reasons for Reverted Funds

October 1975

	Primary Factor		Contributes Somewhat		Not a Contributing Factor	
	No.	%	No.	%	No.	%
Two-year life of block grant funds	15	30.6	23*	46.9	11	22.4
Slow start of many projects	13	26.0	32	64.0	5	10.0
Underspending by projects	15	30.6	31	63.3	3	6.1
Lack of applicants for funds	2	4.2	10	20.8	36	75.0
Slow development of applications by applicants	4	8.2	27	55.1	18	36.7
Delays in the award process	1	2.0	8	16.3	40	81.6

*North Dakota has three-year life of block grant funds.

Source: ACIR 1975 Safe Streets survey.

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strictive policies to certain program areas, such as police-community relations. Two SPAs (Arkansas and North Carolina) have adopted different policies for state and local projects and one (Arizona) has limited Part C funding to a maximum of three years while restricting Part E to only two years.

Although there is a great variation in the nature and applicability of these policies, they share a basic intent to wean projects from their dependence on Federal aid and to insure that the SPA has an adequate amount of funds in each fiscal year for initiating new program activity. One of the major factors causing SPAs to adopt specific funding limits and in some cases to revise earlier, more generous policies, was the increasing portion of their Part C funds implicitly committed to continue projects initiated with prior-year Safe Streets funds. For example, in FY 1974 four states were faced with 80 percent or more of their block grant committed to continuation grants. Eight SPAs estimated their continuation funding to equal or exceed this level for FY 1975.

The mean percentage of fiscal year funds committed to continuation projects has steadily increased, from 40.6 percent in FY 1971 to 58.3 percent in FY 1974. It tapered off only slightly (56.4 percent) in FY 1975. In FY 1971, 13 of the SPA's surveyed had 50 percent or more of their block grant funds committed to continuation activities. By FY 1975, this had increased to 30 states.

The congressional cutback in FY 1976 Part C formula allocations will probably cause the percentage once again to climb, since most SPAs give priority to continuing projects already initiated. Forty-three of the SPA directors responding to ACIR's survey said that the cutback would affect continuation funding and the initiation of new programs by the SPA. Typical of the directors' comments was the following: "Since it is the SPA's policy to support programs for the length of time necessary for reasonable hopes of success, the projected cutback in Part C funds will limit new programs." Another SPA official, citing the impact of inflation, stated: "Since most of our programs are already at or near minimum effective funding levels, we will need to terminate at least 30 percent of our existing projects this year even if we initiate no new programs."

Assumption of Cost

One of the indicators used to assess the impact of activities supported by Safe Streets Act funds is the extent to which they have been institutionalized and their costs assumed by state and local governments. ACIR asked the SPAs to rate their success in encouraging cost assumption. The responses can be seen in Table V-24. As this table shows, few SPAs believed they had experienced no or very little success. The majority rated their success as moderate, at both the state and local level. However, it appears that, in general, the SPAs believe that greater cost assumption is taking place at the state level.

Each SPA also was asked to estimate the percentage of projects that has been assumed by state and local governments. The mean percentage estimate was 64.3 percent, indicating that a fairly high number of long-term projects are continuing to operate with state or local government support after Safe Streets funding terminates. The percentage of assumption ranges from a low of 10 percent to a high of 99 percent. It should be remembered that these figures are the estimates of the SPA directors. Generally, however, they are substantiated by the findings of the grant sample analysis conducted by ACIR in the 10 case study states.

Moreover, these figures agree with those provided by city and county respondents. The mean assumption rate of projects initiated with Safe Streets funds was quite high. Eighty-three percent of the city projects and 78 percent of the county projects were reported as continuing with local government support.

Table V-25 reflects the SPA directors' assessment of the relative importance of various factors in determining whether or not a project will be assumed by a state or local government. As these data show, the two most important factors affecting assumption are the financial capacity of the governmental unit and the demonstrated merit of the project. These two factors were also by far the most important ones cited by city and county respondents.

A study of the assumption-of-cost problem by the General Accounting Office (GAO) revealed findings similar to those resulting from the ACIR survey of SPAs.[11] The continuation policies and practices of six states (Alabama, California, Michigan, Ohio, Oregon and Washington) were examined and 33 other states and the District of Columbia were surveyed to determine their assumption-of-cost record. GAO found that, of 440 long-term projects that were initiated with Safe Streets dollars but were no longer receiving block grants prior to July 1, 1973, 64 percent were continuing to operate at expanded or at about the same levels. Of these 281 projects, 253 were being supported with state or local funds, while 28 were being continued with general revenue sharing monies or Department of Health, Education, and Welfare assistance.

Of the 159 long-term projects that had either stopped or significantly reduced operations, 95 merited continuation in the eyes of state and project officials. Lack of state or local funds, due primarily to poor cost-assumption planning, was seen as the factor responsible for non-continuation of 81 percent of these projects.

While GAO considered these findings as evidence of "limited success in continuing projects," they

Table V-24

SPA Directors' Views on Assumption-of-Cost Record

October 1975

Extent of Success	State		Local	
	No.	%	No.	%
Great	15	30	9	20
Moderate	29	58	26	59
Very Little	5	10	9	20
None	1	2	0	0
TOTAL	50	100	44	99

Source: ACIR 1975 Safe Streets survey.

Table V-25

SPA Directors' Assessment of Factors Influencing State/Local Assumption of Project Cost

October 1975

Factor	Very Important		Moderately Important		Of Little Importance		Unimportant		Total	
	No.	%	No.	%	No.	%	No.	%	No.	%
Proven success of the project	33	66.0	16	32.0	1	2.0	0	—	50	100.0
Ability of the governmental unit to support the project	45	90.0	4	8.0	1	2.0	0	—	50	100.0
Functional area of the project (police, courts, corrections, etc.)	2	4.1	23	46.9	21	42.9	3	6.1	49	100.0
Innovativeness of the project	2	4.0	17	34.0	29	58.0	2	4.0	50	100.0
Non-controversial nature of the project	7	14.0	28	56.0	11	22.0	4	8.0	50	100.0
Political appeal or support of the project	22	44.0	16	32.0	11	22.0	1	2.0	50	100.0

Source: ACIR 1975 Safe Streets survey.

could also be interpreted as evidence of surprising success, given state and local revenue problems. However, the GAO study also found that the real test concerning the assumption of costs will come in the near future when an increasing number of long-term projects receive the last award of Safe Streets funds under new SPA continuation funding policies.

SUMMARY

Despite the limitations of the available data, many of the more controversial issues involved in the Safe Streets program may be seen more clearly in this section. The following are some of the more significant findings:

- Collectively, the larger cities and counties, experiencing more serious crime problems, have received a percentage of Safe Streets block grant funds in excess of their percentage of population and slightly below their percentage of all reported crimes.
- Safe Streets block grant funding for different functional areas (police, courts, corrections, etc.) has stabilized over the years. Of particular note, the percentage of funds awarded to police activities has declined from more than 66 percent in 1969 to 36 percent in 1974.
- For the most part, Safe Streets block grant funds have been used to support activities that are new to the jurisdictions receiving the funds, rather than for routine undertakings or as a substitute for normal local expenditures.
- A small proportion of Safe Streets funds has been used to purchase equipment or construct facilities, while the overwhelming majority of the funds has been used to provide law enforcement and criminal justice services.
- A greater proportion of LEAA discretionary funds than block grant funds has been directed to large urban jurisdictions and private agencies, with most of these dollars being used for innovative projects

or research and demonstration activities.

- A greater percentage of Safe Streets funds has been awarded to correctional activities and a smaller percentage to police and courts relative to the distribution of state and local revenues to these functional areas.
- One of the most serious problems facing the Safe Streets program is the large number of activities continued year after year with Safe Streets funds. While there is some evidence to indicate a rather high assumption rate, in light of recent economic trends it is unclear whether state and local governments will be able or willing to assume the cost of activities after Safe Streets funding terminates.
- With respect to grant administration, the 90-day rule appears to have an effect on expediting processing time, although some major delays have been reported as a result of the A-95 review process, the timing of supervisory board meetings and different interpretations as to whether this period may be extended by the SPA's return of poorly developed aplications. At the same time, several states continue to experience fund flow problems and revert monies to the federal government.

But perhaps the most significant issues regarding the ultimate effects of Safe Streets funding remain only partly settled: Will the activities initiated with Safe Streets funds continue with state and local support after Safe Streets funding ends? Will these programs and projects have a material effect on preventing and reducing crime? Even though the SPAs are optimistic, the results to date provide few definitive answers to these pivotal questions.

FOOTNOTES

[1]The source of much of the data presented in this chapter was the Grants Management Information System of the Law Enforcement Assistance Administration. An analysis of the GMIS data is presented in Appendix V-1, p. 153.

[2]The reader should note that these crime figures are based only on crimes reported to the police. Evidence suggests that this may represent only a small percentage of all crimes committed. Moreover, some jurisdictions do not report crimes regularly or at all to the FBI.

[3]U.S. Congress, Senate, Committee on the Judiciary, Subcommittee on Criminal Laws and Procedures, Hearings on the Crime Control Act, statement of Chief Justice Howell Heflin, Alabama, Chairman, Federal Funding Committee of the Conference of Chief Justices, October 22, 1975, p. 9.

[4]Richard P. Nathan, Allen D. Manuel, Susannah E. Calkins, and Associates, *Monitoring Revenue Sharing* (Washington, D.C.: The Brookings Institution, 1975), pp. 234-260.

[5]*Ibid.*, pp. 244-260.

[6]Richard P. Nathan, Dan Crippen, and Andre Jueau, *Where Have All the Dollars Gone?* (Washington, D.C.: The Brookings Institution, 1975).

[7]Although data for FY 1969 and FY 1970 are available, different bases for calculating state and local expenditures were used, thus making the comparison with data from subsequent years difficult.

[8]Edward J. Epstein, "The Krogh File—The Politics of 'Law and Order'," *The Public Interest*, no. 39 (New York: National Affairs, Inc., 1975), pp. 110-111.

[9]*National Journal* 7 (Washington, D.C.: Government Research Corporation, 1975), 1334.

[10]U.S. General Services Administration, Office of Federal Management Policy, Office of Financial Management, *Administrative Costs in Federally-Aided Domestic Programs*, January 1975.

[11]U.S. General Accounting Office, Comptroller General, *Report to the Congress: Long-term Impact of Law Enforcement Assistance Grants Can be Improved* (Washington, D.C.: Government Printing Office, 1974).

APPENDIX V-1

Source and Limitations of Data From the LEAA Grants Management Information System (GMIS)

GMIS was used as a source of data since it represents the only aggregated data available that provide information on the kinds of activities supported with Safe Streets funds. Although the GMIS data represent the best information available, the following limitations should be kept in mind when using the analyses based upon the data.

Source of the Data

As each SPA awards subgrants, it is asked by LEAA to send a list and description of the subgrants to LEAA to be included in the GMIS system. On the basis of this information, LEAA classifies the project among various categories and includes the information in the GMIS computerized data base.

Completeness of the Data

Due to incomplete reporting from the states, the GMIS system does not contain information on all subgrants awarded by the states. Furthermore, not all block grant funds received by the states have been subgranted, particularly FY 75 block grant funds. In addition, because of low reporting rates and different classification procedures, LEAA does not have great confidence in the accuracy or completeness of the GMIS data collected prior to FY 1972. Information on the degree of completeness of the GMIS data prior to FY 1972 is not available.

Since 1972, records have been maintained showing the degree of completeness of the GMIS data. As Table V-1A* indicates, slightly more than 70 percent of total Part C block grant funds (FY 1972-1975) has been subgranted. Of this 70 percent, more than 92 percent is included in the GMIS system, as shown in Table V-1B. Tables V-1C through V-1F indicate the percentage of each state's Part C subgrant in GMIS for each year from 1972 to 1975.

As Table V-1G indicates, GMIS data is less complete for Part E formula grant funds than for Part C, with 66 percent of the funds having been subgranted from 1972 through 1975. Of the 66 percent, 76 percent has been included in the GMIS system, as indicated in Table V-1H. Tables V-1I through V-1L show the percentage of each state's Part E subgrants in GMIS for each year from 1972 through 1975.

The most complete data available relate to the LEAA discretionary grant awards. According to GMIS officials, all discretionary grant awards have been included in the GMIS system through June 30, 1975.

In the tables referred to above the reader will notice that occasionally the percentage of funds in GMIS for a state will exceed 100 percent of the funds subgranted by the state. This may result from two different situations. Sometimes a state may award a grant, only to have the project falter or underspend its award funds. When this happens, the funds are de-obligated and returned to the SPA where they are re-awarded to another project. The SPA may report to GMIS the total funds awarded to both grants but only record the actual funds spent by each project. This failure to reflect de-obligated funds accounts for most of the excess of funds reported in GMIS. A second possibility, less likely, is that an SPA will report grants that they anticipate awarding, but which, for some reason, are never awarded. 153

In classifying projects receiving Safe Streets funds among the functional areas, police, courts and corrections, there are some activities that are not immediately recognizable as falling into one of the three major areas. These have been placed in another category labeled as "combinations of criminal justice agencies."

While it is clear that the GMIS data are not complete, there is no evidence to indicate that there is a systematic error in reporting that would affect the analyses presented in this report. However, because of the importance of the classification procedures in determining the categorization of funding according to different criteria, the reader is urged to contact GMIS officials at the Law Enforcement Assistance Administration if specific questions arise concerning the collection, classification and interpretation of GMIS data.

*Appendix Tables V-1A to V-1L follow below.

APPENDIX TABLE V-1

Part C Allocations to States
FY 1969-1976
(In Thousands)*

State	1969	1970	1971	1972	1973	1974	1975	1976
Alabama	$ 434	$ 3,175	$ 5,645	$ 6,915	$ 8,026	$ 8,026	$ 8,007	$ 6,890
Alaska	100**	249	493	607	700	700	739	641
Arizona	201	1,503	2,933	3,559	4,127	4,127	4,464	4,028
Arkansas	242	1,787	3,157	3,862	4,482	4,482	4,566	3,955
California	2,352	17,287	32,999	40,060	46,495	46,495	46,414	40,133
Colorado	243	1,863	3,646	4,432	5,143	5,143	5,376	4,796
Connecticut	360	2,669	5,001	6,088	7,064	7,064	7,004	5,985
Delaware	100**	480	909	1,100	1,277	1,277	1,298	1,114
Florida	737	5,597	11,166	13,631	15,821	15,821	16,707	15,051
Georgia	555	4,127	7,518	9,215	10,695	10,695	10,763	9,363
Hawaii	100**	699	1,253	1,546	1,791	1,791	1,856	1,634
Idaho	100**	639	1,169	1,431	1,660	1,660	1,717	1,508
Illinois	1,339	9,877	18,368	22,314	25,898	25,898	25,569	21,718
Indiana	614	4,565	8,609	10,428	12,102	12,102	12,020	10,307
Iowa	338	2,501	4,670	5,672	6,581	6,581	6,558	5,564
Kansas	279	2,065	3,712	4,516	5,235	5,235	5,157	4,400
Kentucky	392	2,906	5,290	6,464	7,500	7,500	7,518	6,467
Louisiana	449	3,344	5,966	7,315	8,485	8,485	8,500	7,280
Maine	120	882	1,636	1,995	2,312	2,312	2,333	2,019
Maryland	451	3,349	6,485	7,875	9,140	9,140	9,205	7,917
Massachusetts	666	4,902	9,424	11,422	13,257	13,257	13,180	11,269
Michigan	1,055	7,817	14,692	17,819	20,681	20,681	20,498	17,608
Minnesota	439	3,302	6,307	7,639	8,866	8,866	8,816	7,559
Mississippi	289	2,117	3,614	4,451	5,166	5,166	5,130	4,503
Missouri	565	4,155	7,760	9,391	10,897	10,897	10,795	9,266
Montana	100**	627	1,162	1,394	1,618	1,618	1,628	1,419
Nebraska	176	1,310	2,457	2,979	3,457	3,457	3,475	2,979
Nevada	100**	405	807	981	1,139	1,139	1,212	1,071
New Hampshire	100**	634	1,210	1,481	1,719	1,719	1,760	1,543
New Jersey	860	6,372	11,870	14,388	16,703	16,703	16,711	14,235
New Mexico	123	896	1,671	2,040	2,367	2,367	2,447	2,136
New York	2,251	16,392	30,093	36,522	42,496	42,496	41,766	35,395
North Carolina	619	4,625	8,305	10,203	11,842	11,842	11,872	10,303
North Dakota	100**	562	1,022	1,240	1,439	1,439	1,442	1,234
Ohio	1,284	9,563	17,645	21,386	24,821	24,821	24,382	20,877
Oklahoma	306	2,291	4,182	5,138	5,964	5,964	5,987	5,187
Oregon	246	1,806	3,442	4,199	4,873	4,873	4,969	4,312
Pennsylvania	1,427	10,591	19,532	23,679	27,482	27,482	27,072	23,051
Rhode Island	111	819	1,544	1,907	2,206	2,206	2,204	1,879
South Carolina	318	2,406	4,223	5,201	6,036	6,036	6,112	5,294
South Dakota	100**	599	1,107	1,337	1,551	1,551	1,546	1,325
Tennessee	478	3,562	6,425	7,878	9,143	9,143	9,260	7,958
Texas	1,334	9,926	18,393	22,480	26,091	26,091	26,387	22,985
Utah	126	929	1,775	2,127	2,468	2,468	2,563	2,235
Vermont	100**	387	733	893	1,035	1,035	1,046	906
Virginia	557	4,150	7,604	9,333	10,832	10,832	10,836	9,413
Washington	380	2,971	5,612	6,845	7,944	7,944	7,772	6,667
West Virginia	221	1,640	2,849	3,502	4,064	4,064	4,082	3,475
Wisconsin	515	3,795	7,309	8,870	10,294	10,294	10,292	8,821
Wyoming	100**	290	556	667	775	775	787	686
District of Columbia	100**	723	1,249	1,519	1,763	1,763	1,710	1,426
American Samoa		28	47	56	63	63	61	58
Guam	40**	90	146	175	198	198	191	181
Puerto Rico	330	2,454	4,502	5,401	6,320	6,320	6,347	5,498
Virgin Islands	40**	50	106	127	146	146	141	142
TOTAL	$25,062	$182,750	$340,000	$413,695	$480,250	$480,250	$480,250	$413,666

*These figures were obtained from comprehensive planning guidelines published annually by LEAA.

**Includes small state supplements.

APPENDIX TABLE V-1A

Status of Part C Subgrant Funds for States in GMIS
FY 1972-1975

State Planning Agency	Total Block Award Available	Total Subgranted as of 03/31/75	Total Percentage Subgranted
Alabama	$30,970,000	$24,053,786	77.67
Alaska	4,475,000	3,280,158	73.30
Arizona	16,275,000	11,635,530	71.49
Arkansas	17,390,000	11,611,419	66.77
California	179,440,000	116,951,406	65.18
Colorado	20,091,000	13,729,019	68.33
Connecticut	27,216,000	19,539,816	71.80
Delaware	5,448,000	1,171,761	21.51
District of Columbia	7,671,000	6,858,757	89.41
Florida	61,971,000	37,435,189	60.41
Georgia	41,362,000	29,859,584	72.19
Hawaii	7,701,000	3,373,462	43.81
Idaho	7,115,000	5,119,874	71.96
Illinois	99,665,000	65,059,926	65.28
Indiana	46,646,000	1,639,540	3.51
Iowa	25,389,000	18,977,413	74.75
Kansas	20,141,000	15,438,787	76.65
Kentucky	28,978,000	24,462,711	84.42
Louisiana	32,781,000	29,261,253	89.26
Maine	8,951,000	7,852,214	87.72
Maryland	35,355,000	25,153,746	71.15
Massachusetts	51,109,000	45,324,026	88.68
Michigan	79,668,000	80,182,037	100.65
Minnesota	34,188,000	24,736,550	72.37
Mississippi	19,910,000	13,605,257	68.33
Missouri	41,974,000	37,531,406	89.42
Montana	6,884,000	5,067,909	73.62
Nebraska	13,366,000	11,150,136	83.42
Nevada	4,918,000	3,365,004	68.42
New Hampshire	7,630,000	5,700,875	74.72
New Jersey	64,497,000	44,370,541	68.79
New Mexico	9,220,000	8,749,385	94.90
New York	163,258,000	112,010,766	68.61
North Carolina	45,753,000	29,493,895	64.46
North Dakota	6,115,000	4,088,306	66.86
Ohio	95,397,000	67,882,730	71.16
Oklahoma	23,050,000	18,579,208	80.60
Oregon	18,911,000	13,253,165	70.08
Pennsylvania	105,701,000	72,103,333	68.21
Rhode Island	8,614,000	00	0.00
South Carolina	23,382,000	12,355,429	52.84
South Dakota	6,586,000	4,549,537	69.08
Tennessee	35,419,000	27,320,015	77.13
Texas	101,036,000	79,931,950	79.11
Utah	9,624,000	7,376,132	76.64
Vermont	4,475,000	2,826,819	63.17
Virginia	41,827,000	27,537,621	65.84
Washington	30,501,000	22,181,523	72.72
West Virginia	15,710,000	10,459,900	66.58
Wisconsin	39,745,000	28,315,843	71.24
Wyoming	4,475,000	3,272,024	73.12
SUBTOTAL	1,837,969,000	1,295,786,679	70.50
Guam	1,385,000	541,812	39.12
Puerto Rico	24,384,000	19,758,587	81.03
Samoa	567,000	63,406	11.18
Virgin Islands	1,385,000	854,225	61.68
SUBTOTAL	27,721,000	21,218,030	76.54
TOTAL	$1,865,690,000	$1,317,004,709	70.59

APPENDIX TABLE V-1B

Status of Part C Subgrant Funds in GMIS FY 1972-1975

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$24,053,786	$22,321,486	92.7
Alaska	3,280,158	3,392,771	103.4
Arizona	11,635,530	11,284,058	96.9
Arkansas	11,611,419	10,659,716	91.8
California	116,951,406	95,044,030	81.2
Colorado	13,729,019	13,669,979	99.5
Connecticut	19,539,816	17,488,873	89.5
Delaware	3,983,312	3,558,975	89.3
District of Columbia	6,858,757	6,896,618	100.5
Florida	37,435,189	32,028,412	85.5
Georgia	29,859,584	30,520,282	102.2
Hawaii	3,373,462	3,476,191	103.0
Idaho	5,119,874	4,641,368	90.6
Illinois	65,059,926	50,322,126	77.3
Indiana	43,021,235	42,561,229	98.9
Iowa	18,977,413	18,145,853	95.6
Kansas	15,438,787	13,916,498	90.1
Kentucky	24,462,711	22,937,850	93.7
Louisiana	29,261,253	29,768,385	101.7
Maine	7,852,214	2,965,864	37.7
Maryland	25,153,746	16,459,537	65.4
Massachusetts	45,324,026	35,221,768	77.7
Michigan	80,182,037	65,102,960	81.1
Minnesota	24,736,550	25,227,551	101.9
Mississippi	13,605,257	14,065,313	103.3
Missouri	37,531,406	37,910,894	101.0
Montana	5,067,909	2,475,241	48.8
Nebraska	11,150,136	9,253,798	82.9
Nevada	3,365,004	3,861,059	114.7
New Hampshire	5,700,875	4,558,650	79.9
New Jersey	44,370,541	46,066,380	103.8
New Mexico	8,749,385	6,520,832	74.5
New York	112,010,766	106,945,734	95.4
North Carolina	29,493,895	27,698,269	93.9
North Dakota	4,088,306	4,053,258	99.1
Ohio	67,882,730	59,070,000	87.0
Oklahoma	18,579,208	19,230,769	103.5
Oregon	13,253,165	11,367,998	85.7
Pennsylvania	72,103,333	66,471,556	92.1
Rhode Island	0	6,392,105	--
South Carolina	12,355,429	19,474,454	157.6
South Dakota	4,549,537	4,042,645	88.8
Tennessee	27,320,016	17,355,679	63.5
Texas	79,931,950	76,262,230	95.4
Utah	7,376,132	5,433,157	73.6
Vermont	2,826,819	2,675,245	94.6
Virginia	27,537,621	28,986,593	105.2
Washington	22,181,523	18,162,195	81.8
West Virginia	10,459,900	10,884,886	104.0
Wisconsin	28,315,848	23,251,897	82.1
Wyoming	3,272,024	3,318,651	101.4
SUBTOTAL	1,339,989,925	1,213,401,868	90.5
Guam	541,812	346,098	63.8
Puerto Rico	19,758,587	14,751,613	74.6
Samoa	63,406	0	--
Virgin Islands	854,225	296,200	34.6
SUBTOTAL	21,218,030	15,393,911	72.5
TOTAL	$1,361,207,955	$1,228,795,779	90.3

APPENDIX TABLE V-1C

Status of Part C Subgrant Funds in GMIS* FY 1972

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$6,576,788	$6,152,545	93.5
Alaska	998,059	969,436	97.1
Arizona	3,550,804	3,237,948	91.1
Arkansas	3,742,939	3,822,007	102.1
California	41,700,037	40,641,603	97.4
Colorado	4,409,617	4,321,943	98.0
Connecticut	5,840,137	5,276,779	90.3
Delaware	3,983,312	1,175,139	100.2
District of Columbia	1,670,269	1,740,567	104.2
Florida	13,357,131	13,622,722	101.9
Georgia	9,152,000	8,613,369	94.1
Hawaii	1,345,000	1,625,461	120.8
Idaho	1,567,000	1,596,657	101.8
Illinois	20,884,326	20,337,931	97.3
Indiana	Not Reported	8,999,795	0.0
Iowa	5,671,985	5,305,601	93.5
Kansas	4,745,144	4,611,190	97.1
Kentucky	6,463,673	5,923,896	91.6
Louisiana	7,252,701	7,001,547	106.0
Maine	1,986,798	1,707,287	85.9
Maryland	7,671,300	6,515,055	84.9
Massachusetts	11,372,517	8,995,155	79.0
Michigan	18,159,981	16,899,180	93.0
Minnesota	7,639,000	7,774,613	101.7
Mississippi	4,378,255	4,339,475	99.1
Missouri	9,389,433	8,974,736	95.5
Montana	1,486,224	1,349,201	90.7
Nebraska	2,900,096	2,763,247	95.2
Nevada	1,018,000	1,071,417	105.2
New Hampshire	1,539,490	1,575,811	102.3
New Jersey	14,051,032	14,547,321	103.5
New Mexico	1,958,438	1,915,174	97.7
New York	36,522,000	30,694,014	84.0
North Carolina	9,949,724	9,476,317	95.2
North Dakota	1,349,000	1,409,076	104.4
Ohio	21,198,229	20,144,375	95.0
Oklahoma	5,080,205	5,353,158	105.3
Oregon	4,141,178	4,479,929	108.1
Pennsylvania	23,587,446	20,967,436	88.8
Rhode Island	Not Reported	1,953,346	0.0
South Carolina	3,852,165	5,350,942	130.9
South Dakota	1,471,000	1,173,565	79.7
Tennessee	7,855,878	11,790,553	150.0
Texas	21,832,544	23,418,339	107.2
Utah	2,112,000	2,100,846	99.4
Vermont	1,005,727	865,479	86.0
Virginia	9,318,411	10,005,707	107.3
Washington	6,752,619	6,603,435	97.7
West Virginia	3,435,402	3,859,532	112.3
Wisconsin	8,869,000	6,825,574	76.9
Wyoming	982,000	1,015,988	103.4
SUBTOTAL	392,964,463	391,581,421	99.6
Guam	300,000	302,250	100.7
Puerto Rico	5,400,821	4,862,600	90.0
Samoa	Not Reported	0	--
Virgin Islands	294,000	296,200	100.7
SUBTOTAL	5,994,821	5,461,050	91.0
TOTAL	$398,959,284	$397,042,471	99.5

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1D

Status of Part C Subgrant Funds in GMIS* FY 1973

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$7,880,163	$7,437,740	94.3
Alaska	1,143,692	1,293,261	113.0
Arizona	4,101,111	4,243,118	103.4
Arkansas	4,280,564	4,253,602	99.3
California	44,327,804	32,567,443	73.4
Colorado	5,029,333	5,004,876	99.5
Connecticut	7,059,369	6,711,289	95.0
Delaware	Not Reported	1,486,958	0.0
District of Columbia	2,000,000	2,009,129	100.4
Florida	15,613,914	10,217,404	65.4
Georgia	10,380,121	11,165,080	107.5
Hawaii	1,576,381	1,466,609	93.0
Idaho	1,772,376	1,378,492	77.7
Illinois	23,838,655	18,157,918	76.1
Indiana	Not Reported	5,471,092	0.0
Iowa	6,508,477	5,821,980	89.4
Kansas	5,462,326	4,015,987	73.5
Kentucky	7,310,220	6,400,435	87.5
Louisiana	8,424,412	7,964,819	94.5
Maine	2,311,982	1,016,273	43.9
Maryland	8,936,381	3,273,554	36.6
Massachusetts	12,984,087	13,002,163	100.1
Michigan	17,315,044	18,642,805	107.6
Minnesota	8,708,173	8,882,376	102.0
Mississippi	4,703,376	5,090,541	108.2
Missouri	10,695,404	10,775,060	100.7
Montana	1,779,987	725,545	40.7
Nebraska	3,666,741	2,095,754	57.1
Nevada	1,217,438	1,710,351	140.4
New Hampshire	1,970,849	1,549,627	78.6
New Jersey	16,647,156	16,578,409	99.5
New Mexico	2,360,841	2,403,650	101.8
New York	40,699,249	44,319,809	108.8
North Carolina	11,790,398	10,451,356	88.6
North Dakota	1,570,508	1,460,052	92.9
Ohio	24,379,510	22,760,414	93.3
Oklahoma	5,655,339	5,601,205	99.0
Oregon	4,854,396	4,443,771	91.5
Pennsylvania	27,257,133	25,047,688	91.8
Rhode Island	Not Reported	2,061,239	0.0
South Carolina	3,970,920	6,139,936	154.6
South Dakota	1,682,841	1,534,498	91.1
Tennessee	9,297,045	5,565,126	59.8
Texas	25,657,608	27,027,115	105.3
Utah	2,467,999	598,278	24.2
Vermont	1,144,992	985,126	86.0
Virginia	10,814,570	10,929,172	101.0
Washington	7,901,224	7,142,920	90.4
West Virginia	4,059,280	4,028,467	99.2
Wisconsin	9,863,633	9,193,887	93.2
Wyoming	1,148,559	1,159,545	100.9
SUBTOTAL	444,222,081	413,262,944	93.0
Guam	241,812	30,348	12.5
Puerto Rico	6,257,290	5,007,149	80.0
Samoa	51,575	0	--
Virgin Islands	324,500	0	--
SUBTOTAL	6,875,177	5,037,497	73.2
TOTAL	$451,097,258	$418,300,441	92.7

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1E

Status of Part C Subgrant Funds in GMIS* FY 1974

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$7,451,915	$6,367,400	85.4
Alaska	1,138,407	1,130,074	99.2
Arizona	3,983,615	3,802,992	95.4
Arkansas	3,285,900	2,458,424	74.8
California	30,167,281	21,834,984	72.3
Colorado	3,500,674	3,553,765	101.5
Connecticut	6,640,210	5,500,805	82.8
Delaware	Not Reported	896,878	0.0
District of Columbia	1,9[illegible]5,093	2,037,417	103.6
Florida	8,464,144	8,188,286	96.7
Georgia	10,327,463	10,741,833	104.0
Hawaii	452,081	384,121	84.9
Idaho	1,167,443	1,247,946	106.8
Illinois	19,699,641	11,747,527	59.6
Indiana	Not Reported	8,609,707	0.0
Iowa	5,736,544	5,950,131	103.7
Kansas	5,136,817	5,199,321	101.2
Kentucky	5,945,992	5,696,488	95.8
Louisiana	7,896,257	8,298,031	105.0
Maine	2,306,377	242,304	10.5
Maryland	8,546,065	6,670,928	78.0
Massachusetts	12,496,572	13,224,450	105.8
Michigan	19,717,475	18,980,087	96.2
Minnesota	8,389,377	8,570,562	102.1
Mississippi	4,523,626	4,635,297	102.4
Missouri	10,398,502	11,073,078	106.4
Montana	1,614,520	400,495	24.8
Nebraska	3,130,592	2,798,751	89.4
Nevada	1,129,566	1,079,291	95.5
New Hampshire	1,632,842	1,246,582	76.3
New Jersey	13,672,353	13,947,089	102.0
New Mexico	2,324,061	2,202,008	94.7
New York	34,789,517	31,031,911	91.7
North Carolina	7,753,773	7,770,596	100.2
North Dakota	1,155,766	1,171,098	101.3
Ohio	21,790,845	16,165,211	74.1
Oklahoma	5,422,771	5,680,291	104.7
Oregon	3,560,029	2,444,298	68.6
Pennsylvania	21,258,754	20,456,432	96.2
Rhode Island	Not Reported	1,951,208	0.0
South Carolina	2,996,436	5,305,011	177.0
South Dakota	1,395,696	1,334,582	95.6
Tennessee	10,167,093	0	--
Texas	22,723,632	16,098,610	70.8
Utah	2,447,496	2,385,396	97.4
Vermont	676,100	824,640	121.9
Virginia	7,404,640	8,051,714	108.7
Washington	6,665,146	3,767,047	56.5
West Virginia	2,965,218	2,996,887	101.0
Wisconsin	8,356,049	7,150,466	85.5
Wyoming	1,141,465	1,143,118	100.1
SUBTOTAL	375,512,931	335,345,568	89.3
Guam	Not Reported	13,500	0.0
Puerto Rico	5,898,295	3,995,864	67.7
Samoa	11,831	0	--
Virgin Islands	235,725	0	--
SUBTOTAL	6,145,851	4,009,364	65.2
TOTAL	$381,658,782	$339,354,932	88.9

*Report date, Aug. 12, 1975

APPENDIX TABLE V-1F

Status of Part C Subgrant Funds in GMIS* FY 1975

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$2,144,920	$2,363,801	110.2
Alaska	0	0	--
Arizona	Not Reported	0	--
Arkansas	302,016	125,683	41.6
California	756,284	0	--
Colorado	789,395	789,395	100.0
Connecticut	Not Reported	0	--
Delaware	Not Reported	0	--
District of Columbia	1,222,395	1,109,505	90.7
Florida	Not Reported	0	--
Georgia	Not Reported	0	--
Hawaii	0	0	--
Idaho	613,055	418,273	68.2
Illinois	637,304	78,750	12.3
Indiana	1,639,540	3,794,296	231.4
Iowa	1,060,407	1,068,141	100.7
Kansas	94,500	90,000	95.2
Kentucky	4,742,826	4,917,031	103.6
Louisiana	5,687,883	5,813,988	102.2
Maine	1,247,057	0	--
Maryland	Not Reported	0	--
Massachusetts	8,470,850	0	--
Michigan	24,989,537	10,580,888	42.3
Minnesota	0	0	--
Mississippi	Not Reported	0	--
Missouri	7,048,067	7,088,020	100.5
Montana	187,178	0	--
Nebraska	1,452,707	1,596,046	109.8
Nevada	0	0	--
New Hampshire	557,694	186,630	33.4
New Jersey	Not Reported	993,561	0.0
New Mexico	2,106,045	0	--
New York	Not Reported	0	--
North Carolina	0	0	--
North Dakota	13,032	13,032	100.0
Ohio	514,146	0	--
Oklahoma	2,420,393	2,596,115	107.2
Oregon	697,562	0	--
Pennsylvania	Not Reported	0	--
Rhode Island	Not Reported	426,310	0.0
South Carolina	1,535,908	2,678,565	174.3
South Dakota	0	0	--
Tennessee	0	0	--
Texas	9,718,166	9,718,166	100.0
Utah	348,637	348,637	100.0
Vermont	Not Reported	0	--
Virginia	Not Reported	0	--
Washington	862,534	648,793	75.2
West Virginia	0	0	--
Wisconsin	1,227,166	81,970	6.6
Wyoming	Not Reported	0	--
SUBTOTAL	83,087,204	57,525,596	69.2
Guam	Not Reported	0	--
Puerto Rico	2,202,181	886,000	40.2
Samoa	Not Reported	0	--
Virgin Islands	Not Reported	0	--
SUBTOTAL	2,202,181	886,000	40.2
TOTAL	$85,289,385	$58,411,596	68.4

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1G

Status of Part E Subgrant Funds for States in Alphabetical Sequence* FY 1972-1975

State Planning Agency	Total Block Award Available	Total Subgranted as of 03/31/75 H1-Report	Total Percentage Subgranted
Alabama	$3,645,000	$3,007,939	82.52
Alaska	322,000	235,000	72.98
Arizona	1,916,000	1,376,399	71.84
Arkansas	2,046,000	975,027	47.66
California	21,121,000	11,019,494	52.17
Colorado	2,364,000	1,533,835	64.88
Connecticut	3,203,000	2,375,429	74.16
Delaware	583,000	128,412	22.03
District of Columbia	794,000	598,229	75.34
Florida	7,294,000	5,471,731	75.02
Georgia	4,868,000	3,473,457	71.35
Hawaii	822,000	187,737	22.84
Idaho	761,000	637,855	83.82
Illinois	11,731,000	6,558,442	55.91
Indiana	5,491,000	00	0.00
Iowa	2,988,000	1,747,451	58.48
Kansas	2,371,000	1,679,780	70.85
Kentucky	3,410,000	3,396,313	99.60
Louisiana	3,858,000	3,250,113	84.24
Maine	1,053,000	979,427	93.01
Maryland	4,161,000	1,661,441	39.93
Massachusetts	6,017,000	5,938,785	98.70
Michigan	9,377,000	5,578,167	59.49
Minnesota	4,023,000	2,937,032	73.01
Mississippi	2,344,000	1,275,585	54.42
Missouri	4,941,000	4,055,017	82.07
Montana	736,000	506,742	68.85
Nebraska	1,574,000	1,192,565	75.77
Nevada	527,000	377,268	71.59
New Hampshire	786,000	555,747	70.71
New Jersey	7,592,000	4,733,927	62.35
New Mexico	1,086,000	1,028,840	94.74
New York	19,218,000	12,607,916	65.60
North Carolina	5,385,000	2,902,827	53.91
North Dakota	654,000	646,014	98.78
Ohio	11,228,000	8,044,210	71.64
Oklahoma	2,713,000	2,593,160	95.58
Oregon	2,226,000	1,791,762	80.49
Pennsylvania	12,441,000	8,870,919	71.30
Rhode Island	1,004,000	00	0.00
South Carolina	2,752,000	2,472,806	89.85
South Dakota	706,000	374,611	53.06
Tennessee	4,169,000	3,017,218	72.37
Texas	11,893,000	8,604,045	73.10
Utah	1,133,000	893,193	78.83
Vermont	472,000	331,912	70.32
Virginia	4,923,000	2,680,249	54.44
Washington	3,591,000	1,833,079	51.05
West Virginia	1,849,000	902,217	48.79
Wisconsin	4,678,000	3,354,806	71.93
Wyoming	354,000	197,985	55.93
SUBTOTAL	215,194,000	140,692,175	65.37
Guam	89,000	21,000	23.60
Puerto Rico	2,871,000	2,463,800	85.82
Samoa	30,000	16,000	53.33
Virgin Islands	66,000	32,000	48.48
SUBTOTAL	3,056,000	2,532,800	82.87
TOTAL	$218,250,000	$143,224,975	65.62

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1H

Status of Part E Subgrant Funds in GMIS* FY 1972-1975

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$3,007,939	$2,558,604	85.0
Alaska	235,000	235,000	100.0
Arizona	1,376,399	1,223,501	88.8
Arkansas	975,027	932,268	95.6
California	11,019,494	8,921,039	80.9
Colorado	1,533,835	317,169	20.6
Connecticut	2,375,429	2,358,329	99.2
Delaware	128,412	225,354	175.4
District of Columbia	598,229	386,000	64.5
Florida	5,471,731	4,943,793	90.3
Georgia	3,473,457	2,962,871	85.3
Hawaii	187,737	0	--
Idaho	637,855	233,517	36.6
Illinois	6,558,442	5,810,959	88.6
Indiana	0	1,338,647	--
Iowa	1,747,451	963,606	55.1
Kansas	1,679,780	1,498,869	89.2
Kentucky	3,396,313	1,636,734	48.1
Louisiana	3,250,113	2,950,140	90.7
Maine	979,427	317,684	32.4
Maryland	1,661,441	1,083,958	65.2
Massachusetts	5,938,785	4,416,876	74.3
Michigan	5,578,167	3,123,082	55.9
Minnesota	2,937,032	2,654,470	90.3
Mississippi	1,275,585	720,854	56.5
Missouri	4,055,017	3,386,486	83.5
Montana	506,742	65,464	12.9
Nebraska	1,192,565	814,723	68.3
Nevada	377,268	314,965	83.4
New Hampshire	555,747	460,788	82.9
New Jersey	4,733,927	4,847,583	102.4
New Mexico	1,028,840	475,083	46.1
New York	12,607,916	7,436,417	58.9
North Carolina	2,902,827	2,317,599	79.8
North Dakota	646,014	702,103	108.6
Ohio	8,044,270	7,285,639	90.5
Oklahoma	2,593,160	1,146,000	44.1
Oregon	1,791,762	1,485,463	82.9
Pennsylvania	8,870,919	8,309,135	93.6
Rhode Island	0	405,506	--
South Carolina	2,472,806	2,155,236	87.1
South Dakota	374,611	93,135	24.8
Tennessee	3,017,218	504,975	16.7
Texas	8,694,045	6,396,880	73.5
Utah	893,193	493,388	55.2
Vermont	331,912	125,240	37.7
Virginia	2,680,249	2,532,024	94.4
Washington	1,833,079	2,310,965	126.0
West Virginia	902,217	638,285	70.7
Wisconsin	3,364,806	2,766,901	82.2
Wyoming	197,985	194,291	98.1
SUBTOTAL	140,692,175	109,477,598	77.8
Guam	21,000	0	--
Puerto Rico	2,463,800	140,540	5.7
Samoa	16,000	0	--
Virgin Islands	32,000	0	--
SUBTOTAL	2,532,800	140,540	5.5
TOTAL	$143,224,975	$109,618,138	76.5

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1I

Status of Part E Subgrant Funds in GMIS* FY 1972

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$781,369	$491,884	62.9
Alaska	71,000	71,000	100.0
Arizona	409,668	343,999	83.9
Arkansas	453,350	410,591	90.5
California	4,647,916	5,318,440	114.4
Colorado	520,226	7,189	1.3
Connecticut	713,429	713,429	100.0
Delaware	128,412	130,000	101.2
District of Columbia	179,000	179,000	100.0
Florida	1,601,671	1,551,233	96.8
Georgia	1,080,000	1,010,461	93.5
Hawaii	182,000	0	--
Idaho	169,000	0	--
Illinois	2,588,603	2,444,999	94.4
Indiana	Not Reported	504,086	0.0
Iowa	645,819	213,727	33.0
Kansas	535,320	457,230	85.4
Kentucky	755,916	508,384	67.2
Louisiana	859,763	462,000	53.7
Maine	235,000	201,400	85.7
Maryland	851,855	414,919	48.7
Massachusetts	1,344,510	1,266,000	94.1
Michigan	2,189,427	681,054	31.1
Minnesota	884,885	568,457	64.2
Mississippi	515,837	269,022	52.1
Missouri	1,100,469	1,073,172	17.5
Montana	161,757	8,360	5.1
Nebraska	347,582	282,293	81.2
Nevada	116,000	117,560	101.3
New Hampshire	159,364	157,327	98.7
New Jersey	1,637,254	1,667,883	101.8
New Mexico	235,642	136,486	57.9
New York	4,304,000	2,370,946	55.0
North Carolina	891,184	932,271	104.6
North Dakota	142,000	98,265	69.2
Ohio	2,473,413	2,561,530	103.5
Oklahoma	604,964	200,000	33.0
Oregon	495,000	358,536	72.4
Pennsylvania	2,715,779	2,114,495	77.8
Rhode Island	Not Reported	54,905	0.0
South Carolina	608,388	612,998	100.7
South Dakota	157,000	48,056	30.6
Tennessee	926,573	454,975	49.1
Texas	2,194,115	2,277,490	103.7
Utah	251,000	247,613	98.6
Vermont	105,000	98,494	93.8
Virginia	1,013,522	490,000	48.3
Washington	806,889	1,345,143	166.7
West Virginia	398,372	171,138	42.9
Wisconsin	1,045,000	641,714	61.4
Wyoming	75,000	71,306	95.0
SUBTOTAL	45,309,243	36,811,550	81.2
Guam	21,000	0	--
Puerto Rico	635,800	0	--
Samoa	Not Reported	0	--
Virgin Islands	15,000	0	--
SUBTOTAL	671,800	0	--
TOTAL	$45,981,043	$36,911,550	80.0

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1J

Status of Part E Subgrant Funds in GMIS* FY 1973

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$896,410	$893,742	99.7
Alaska	82,000	82,000	100.0
Arizona	485,985	485,497	99.8
Arkansas	521,677	521,677	100.0
California	5,731,500	3,507,620	61.1
Colorado	603,132	14,986	2.4
Connecticut	831,000	831,000	100.0
Delaware	Not Reported	95,354	0.0
District of Columbia	203,211	207,000	101.8
Florida	2,010,990	1,533,490	76.2
Georgia	1,135,457	1,268,266	111.6
Hawaii	5,737	0	--
Idaho	177,954	88,616	49.7
Illinois	2,866,922	2,900,260	101.1
Indiana	Not Reported	109,630	0.0
Iowa	737,047	385,294	52.2
Kansas	619,554	521,491	84.1
Kentucky	882,000	0	--
Louisiana	982,663	1,088,722	110.7
Maine	271,989	116,284	42.7
Maryland	708,980	669,039	90.5
Massachusetts	1,560,000	1,560,000	100.0
Michigan	2,109,202	1,386,945	65.7
Minnesota	1,009,134	1,043,000	103.3
Mississippi	420,748	333,185	79.1
Missouri	1,278,548	1,245,581	97.4
Montana	154,985	57,104	36.8
Nebraska	397,945	163,007	40.9
Nevada	132,225	115,050	87.0
New Hampshire	201,035	156,956	78.0
New Jersey	1,938,205	2,015,528	103.9
New Mexico	276,036	216,812	78.5
New York	4,988,704	3,615,270	72.4
North Carolina	1,332,156	904,656	67.9
North Dakota	165,014	169,072	102.4
Ohio	2,864,748	2,330,165	81.3
Oklahoma	682,000	702,000	102.9
Oregon	573,000	572,820	99.9
Pennsylvania	3,161,977	3,253,952	102.9
Rhode Island	Not Reported	161,137	0.0
South Carolina	710,000	689,724	97.1
South Dakota	173,166	45,079	26.0
Tennessee	1,025,143	50,000	4.8
Texas	2,980,189	1,011,713	33.9
Utah	286,403	9,387	3.2
Vermont	126,912	26,746	21.0
Virginia	1,247,899	1,319,179	105.7
Washington	803,373	743,005	92.4
West Virginia	478,000	467,147	97.7
Wisconsin	1,173,443	978,899	83.4
Wyoming	62,392	62,392	100.0
SUBTOTAL	52,096,790	40,725,479	78.1
Guam	0	0	--
Puerto Rico	744,000	30,000	10.7
Samoa	8,000	0	--
Virgin Islands	17,000	0	--
SUBTOTAL	769,000	80,000	10.4
TOTAL	$52,865,790	$40,805,479	77.1

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1K

Status of Part E Subgrant Funds in GMIS* FY 1974

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$826,629	$751,512	87.2
Alaska	82,000	82,000	100.0
Arizona	480,746	394,005	81.9
Arkansas	0	0	--
California	640,078	94,979	14.8
Colorado	410,477	294,994	71.8
Connecticut	881,000	813,900	97.9
Delaware	Not Reported	0	--
District of Columbia	160,518	0	--
Florida	1,859,070	1,859,070	100.0
Georgia	1,258,000	684,144	54.3
Hawaii	0	0	--
Idaho	195,000	49,000	25.1
Illinois	1,102,917	465,700	42.2
Indiana	Not Reported	724,931	0.0
Iowa	364,585	364,585	100.0
Kansas	524,906	520,148	99.0
Kentucky	874,397	740,000	84.6
Louisiana	996,511	988,242	99.1
Maine	272,020	0	--
Maryland	70,606	0	--
Massachusetts	1,522,500	1,590,876	104.4
Michigan	519,667	537,655	103.4
Minnesota	1,043,013	1,043,013	100.0
Mississippi	339,000	118,647	34.9
Missouri	1,100,373	479,887	43.6
Montana	190,000	0	--
Nebraska	398,653	321,038	80.5
Nevada	129,043	82,355	63.8
New Hampshire	175,701	146,505	83.3
New Jersey	1,158,468	1,164,172	100.4
New Mexico	260,999	121,785	66.6
New York	3,315,212	1,450,201	43.7
North Carolina	679,487	480,672	70.7
North Dakota	169,000	264,766	156.6
Ohio	2,481,109	2,393,944	96.4
Oklahoma	644,196	244,000	37.8
Oregon	524,107	554,107	105.7
Pennsylvania	2,993,163	2,940,688	98.2
Rhode Island	Not Reported	189,374	0.0
South Carolina	560,000	256,096	45.7
South Dakota	44,445	0	--
Tennessee	1,065,502	0	--
Texas	2,447,069	2,143,137	87.5
Utah	279,000	159,598	57.2
Vermont	100,000	0	--
Virginia	418,828	722,845	172.5
Washington	222,817	222,817	100.0
West Virginia	25,845	0	--
Wisconsin	1,146,363	1,146,288	99.9
Wyoming	60,593	60,593	100.0
SUBTOTAL	34,963,613	27,632,269	79.0
Guam	Not Reported	0	--
Puerto Rico	744,000	60,540	8.1
Samoa	8,000	0	--
Virgin Islands	0	0	--
SUBTOTAL	752,000	60,540	8.0
TOTAL	$35,715,613	$27,692,809	77.5

*Report date, Aug. 12, 1975.

APPENDIX TABLE V-1L

Status of Part E Subgrant Funds in GMIS* FY 1975

State Planning Agency	Funds Subgranted as of 03/31/75 H1 Report	Funds Subgranted as of 03/31/75 in GMIS	Percent of Funds Subgranted in GMIS
Alabama	$503,531	$451,466	89.6
Alaska .	0	0	—
Arizona	Not Reported	0	—
Arkansas	0	0	—
California	0	0	—
Colorado	0	0	—
Connecticut	Not Reported	0	—
Delaware	Not Reported	0	—
District of Columbia	55,500	0	—
Florida	Not Reported	0	—
Georgia	Not Reported	0	—
Hawaii	0	0	—
Idaho	95,901	95,901	100.0
Illinois	0	0	—
Indiana	0	0	—
Iowa	0	0	—
Kansas	0	0	—
Kentucky	884,000	388,350	43.9
Louisiana	411,176	411,176	100.0
Maine	200,418	0	—
Maryland	Not Reported	0	—
Massachusetts	1,511,775	0	—
Michigan	759,871	517,428	68.0
Minnesota	0	0	—
Mississippi	Not Reported	0	—
Missouri	575,627	587,846	102.1
Montana	Not Reported	0	—
Nebraska	48,385	48,385	100.0
Nevada	0	0	—
New Hampshire	19,647	0	—
New Jersey	Not Reported	0	—
New Mexico	256,163	0	—
New York	Not Reported	0	—
North Carolina	0	0	—
North Dakota	170,000	170,000	100.0
Ohio	225,000	0	—
Oklahoma	662,000	0	—
Oregon	199,655	0	—
Pennsylvania	Not Reported	0	—
Rhode Island	Not Reported	0	—
South Carolina	594,418	596,418	100.3
South Dakota	0	0	—
Tennessee	0	0	—
Texas	1,072,672	964,540	89.9
Utah	76,790	76,790	100.0
Vermont	Not Reported	0	—
Virginia	Not Reported	0	—
Washington	0	0	—
West Virginia	0	0	—
Wisconsin	0	0	—
Wyoming	Not Reported	0	—
SUBTOTAL	8,322,529	4,308,300	51.7
Guam	Not Reported	0	—
Puerto Rico	340,000	0	—
Samoa	Not Reported	0	—
Virgin Islands	Not Reported	0	—
SUBTOTAL	340,000	0	—
TOTAL	$8,662,529	$4,308,300	49.7

*Report date, Aug. 12, 1975.

APPENDIX V-2A

Distribution of Part C Funds to Cities of 100,000 - 250,000 Population FY 1972-1974

State	Number of Cities of 100,000-250,000	Percent of State Population in Cities of 100,000-250,000	Percent of Crime in Cities of 100,000-250,000	Percent of Part C Block Grant Funds Awarded in Cities of 100,000-250,000	Percent of Part C Discretionary Funds Awarded to Cities of 100,000-250,000
Alabama	3	13.54	25.0	11.00	38.10
Alaska	0	-	-	-	-
Arizona	0	-	-	-	-
Arkansas	1	6.98	23.8	6.73	80.04
California	13	8.58	9.8	7.07	7.06
Colorado	2	11.43	13.2	11.32	0
Connecticut	5	20.92	38.6	55.33	92.92
Delaware	0	-	-	-	-
District of Columbia	0	-	-	-	-
Florida	5	9.60	12.4	5.54	6.15
Georgia	3	8.10	11.5	12.36	2.36
Hawaii	0	-	-	-	-
Idaho	0	-	-	-	-
Illinois	2	2.40	3.8	2.68	6.22
Indiana	4	11.69	21.1	14.37	16.84
Iowa	2	10.64	20.7	8.00	0
Kansas	2	13.56	23.3	11.10	35.34
Kentucky	1	3.24	11.8	0.95	14.96
Louisiana	1	4.89	6.4	8.45	6.69
Maine	0	-	-	-	-
Maryland	0	-	-	-	-
Massachusetts	2	5.69	11.1	18.92	4.81
Michigan	7	11.04	13.2	9.07	11.34
Minnesota	0	-	-	-	-
Mississippi	1	7.19	17.8	8.73	49.98
Missouri	2	5.10	6.2	4.20	0
Montana	0	-	-	-	-
Nebraska	1	10.60	14.3	12.92	10.96
Nevada	1	26.34	49.0	7.38	0.65
New Hampshire	0	-	-	-	-
New Jersey	4	6.22	12.1	11.42	0
New Mexico	0	-	-	-	-
New York	3	2.69	2.7	6.46	0
North Carolina	4	10.06	19.1	35.39	7.01
North Dakota	0	-	-	-	-
Ohio	3	3.19	4.1	1.82	0.02
Oklahoma	0	-	-	-	-
Oregon	0	-	-	-	-
Pennsylvania	2	2.01	3.3	2.39	0
Rhode Island	1	17.47	30.1	22.22	100.0
South Carolina	1	4.12	7.1	2.80	17.44
South Dakota	0	-	-	-	-
Tennessee	2	7.76	15.2	17.21*	0
Texas	6	6.89	9.9	4.03	0.47
Utah	1	14.63	31.4	20.89	23.33
Vermont	0	-	-	-	-
Virginia	6	19.16	31.6	23.70	28.01
Washington	2	9.43	12.5	4.20	9.50
West Virginia	0	-	-	-	-
Wisconsin	1	3.72	6.7	2.88	0
Wyoming	0	-	-	-	-

*Available for 1972 and 1973 only.

Sources: U.S. Department of Commerce, Bureau of the Census, *City Government Finances in 1973-74;* U.S. Department of Justice, *Crime in the United States, 1973: Uniform Crime Reports* (Washington, D.C.: Government Printing Office, 1974); GMIS data for FY 1972-1974.

APPENDIX V-2B

Distribution of Part C Funds to Cities of Over 250,000 Population FY 1972-1974

State	Number of Cities Over 250,000	Percent of State Population in Cities Over 250,000	Percent of Crime in Cities Over 250,000	Percent of Part C Block Grant Funds Awarded to Cities Over 250,000	Percent of Part C Discretionary Funds Awarded to Cities Over 250,000
Alabama	1	8.9	22.4	1[illegible]08	38.26
Alaska	0	0	0	0	0
Arizona	2	45.9	59.9	30.22	25.34
Arkansas	0	0	0	0	0
California	7	24.1	33.6	14.73	20.03
Colorado	1	0	32.9	4.05	92.05
Connecticut	0	21.1	0	-	-
Delaware	0	0	0	-	-
District of Columbia	1	100.0	100.0	100.0	100.0
Florida	3	14.9	19.6	11.89	8.66
Georgia	1	9.4	27.4	6.98	80.35
Hawaii	1	82.4	85.4	2.38	-
Idaho	0	0	0	-	-
Illinois	1	28.2	44.1	4.76	-
Indiana	1	13.7	15.8	10.44	53.07
Iowa	0	0	0	-	-
Kansas	1	11.4	20.8	13.78	0
Kentucky	1	10.0	22.5	7.01	48.64
Louisiana	2	22.9	40.1	32.90	76.07
Maine	0	0	0	-	-
Maryland	1	21.5	33.6	33.89	90.79
Massachusetts	1	10.6	19.9	18.57	60.95
Michigan	1	15.3	23.8	13.06	11.19
Minnesota	2	17.1	38.2	28.05	53.26
Mississippi	0	0	0	-	-
Missouri	2	21.9	48.8	28.88	21.11
Montana	0	0	0	-	-
Nebraska	1	24.4	49.0	12.18	17.41
Nevada	0	0	0	-	-
New Hampshire	0	0	0	-	-
New Jersey	2	8.4	14.7	13.02	83.68
New Mexico	1	24.7	43.5	17.87	0
New York	3	45.7	65.7	67.13	23.43
North Carolina	1	5.3	10.9	0	0
North Dakota	0	0	0	-	-
Ohio	5	21.2	38.3	18.76	88.35
Oklahoma	2	26.6	45.7	28.77	0
Oregon	1	16.8	30.8	14.12	81.79
Pennsylvania	2	19.3	33.6	24.36	94.0[illegible]
Rhode Island	0	0	0	-	-
South Carolina	0	0	0	-	-
South Dakota	0	0	0	-	-
Tennessee	2	26.3	53.5	14.13	79.44
Texas	5	33.0	53.2	13.34	96.74
Utah	0	0	0	-	-
Vermont	0	0	0	-	-
Virginia	1	5.8	11.0	15.99	43.44
Washington	1	14.6	23.1	16.95	12.55
West Virginia	0	0	0	-	-
Wisconsin	1	15.1	21.0	16.19	56.36
Wyoming	0	0	0	-	-

APPENDIX V-3

Distribution of Part C Safe Streets Funds (SSA) by State and by Criminal Justice Component (FY 1969-1975) and State and Local (S/L) Criminal Justice Expenditures (FY 1973)

State	Police		Courts		Corrections		Combinations		Non-Criminal Justice Agencies	
	SSA*	S/L**	SSA*	S/L**	SSA*	S/L**	SSA*	S/L**	SSA*	S/L**
	%	%	%	%	%	%	%	%	%	
Alabama	60	60	15	21	18	18	4	1	1	
Alaska	43	43	15	33	20	23	16	1	3	
Arizona	53	63	16	18	18	19	5	1	6	
Arkansas	54	63	11	17	21	19	8	1	4	
California	48	53	8	19	16	28	15	1	10	
Colorado	55	53	8	25	23	21	8	1	4	
Connecticut	38	59	9	21	32	20	8	2	11	
Delaware	39	47	24	24	21	27	3	1	11	
District of Columbia	15	59	22	15	26	25	17	1	17	
Florida	38	52	7	23	28	24	16	1	8	
Georgia	51	50	13	19	18	31	12	1	3	
Hawaii	38	62	13	24	30	12	8	1	9	
Idaho	50	50	16	21	19	23	10	6	2	
Illinois	50	67	9	17	19	16	14	1	5	
Indiana	47	60	14	17	22	20	6	2	9	
Iowa	58	58	12	20	16	21	8	1	2	
Kansas	39	49	18	19	22	30	14	2	6	
Kentucky	46	59	12	19	23	22	10	1	5	
Louisiana	40	62	20	20	27	18	5	0	5	
Maine	59	55	12	17	18	26	4	2	5	
Maryland	35	55	21	16	27	28	6	2	8	
Massachusetts	28	59	21	15	29	24	12	2	8	
Michigan	55	60	11	20	22	20	6	1	5	
Minnesota	40	56	8	19	23	24	15	2	11	
Mississippi	59	64	12	16	21	18	2	2	2	
Missouri	30	64	22	19	23	18	18	0	5	
Montana	53	53	6	20	21	25	10	3	7	
Nebraska	46	57	13	22	27	19	8	2	4	
Nevada	65	56	16	17	14	26	1	1	2	
New Hampshire	61	64	9	17	18	17	6	1	4	
New Jersey	31	60	14	20	25	19	18	1	10	
New Mexico	52	59	10	18	19	22	10	2	7	
New York	22	61	16	18	36	20	12	2	12	
North Carolina	60	51	8	17	17	30	8	2	5	
North Dakota	55	58	14	25	19	15	1	2	9	
Ohio	40	55	11	19	23	25	14	0	9	
Oklahoma	38	58	13	21	25	20	7	1	14	
Oregon	48	53	11	21	15	25	17	1	6	
Pennsylvania	28	58	16	21	30	21	14	1	10	
Rhode Island	52	61	14	19	15	18	9	1	7	
South Carolina	61	54	12	13	10	31	10	2	4	
South Dakota	40	55	15	23	27	19	11	3	4	
Tennessee	51	53	11	19	22	27	10	1	3	
Texas	43	61	17	20	18	18	13	1	7	
Utah	51	57	17	19	20	22	8	2	3	
Vermont	39	44	14	22	35	33	5	1	4	
Virginia	42	57	8	17	31	26	7	1	9	
Washington	33	52	11	18	32	29	13	1	9	
West Virginia	48	56	8	18	27	25	6	1	8	
Wisconsin	34	59	15	15	24	24	13	2	12	
Wyoming	45	55	15	19	11	24	15	1	12	
Guam	39	NA	3	NA	39	NA	7	NA	10	
Puerto Rico	41	NA	6	NA	23	NA	10	NA	17	
Virgin Islands	31	NA	0	NA	37	NA	20	NA	10	
TOTAL	42	58	13	19	24	23	11	1	8	

*GMIS data.

**U.S. Department of Justice and U.S., Department of Commerce, *Expenditure and Employment Data for the Criminal Justice System: 1972-73*. (Washington, D.C.:Government Printing Office, 1975), Table 7, pp. 30-37.

APPENDIX V-4

Percentage Distribution of Discretionary Funds (FY 1969-1975), Population (1970), and Crime (1973) by State

State	Percent of Population[1]	Amount of Part C Discretionary Funds[2]	Percent of Part C Discretionary Funds[2]	Discretionary Funds Per Capita	Percentage Difference Between Discretionary Funding and Population	Percent of Crime Index[3]	Percentage Difference Between Discretionary Funding and Population
Alabama	1.7	4,217	1.1	1.22	−0.6	1.0	+0.1
Alaska	0.2	3,947	1.0	13.16	+0.8	0.2	+0.8
Arizona	1.0	6,687	1.7	3.78	+0.7	1.6	+0.1
Arkansas	1.0	1,060	0.3	0.55	−0.7	0.6	−0.3
California	9.7	32,537	8.1	1.63	−1.6	15.0	−7.9
Colorado	1.2	20,352**	5.1	9.22	+3.9	1.6	+3.5
Connecticut	1.4	2,644	0.7	0.87	−0.7	1.3	−0.6
Delaware	0.3	2,450*	0.6	4.47	+0.3	0.3	+0.3
District of Columbia	0.3	20,491*	5.0	27.10	+4.7	NA	NA
Florida	3.6	14,280	3.6	2.10	—	5.3	−1.7
Georgia	2.3	16,581**	4.1	3.61	+1.8	1.9	+2.2
Hawaii	0.4	1,787*	0.4	2.33	—	0.5	−0.1
Indiana	0.4	1,986*	0.5	2.79	+0.1	0.3	+0.2
Illinois	5.3	14,307	3.6	1.29	−1.7	5.6	−2.0
Indiana	2.5	4,055	1.0	0.78	−1.5	2.2	−1.2
Iowa	1.3	2,804	0.7	0.99	−0.6	0.9	−0.2
Kansas	1.1	2,250	0.6	1.00	−0.5	0.9	−0.3
Kentucky	1.2	7,040	1.8	2.19	+0.6	0.9	+0.9
Louisiana	1.8	7,651	1.9	2.10	+0.1	1.5	+0.4
Maine	0.5	2,801	0.7	2.82	+0.2	0.3	+0.4
Maryland	1.9	10,499**	2.6	2.68	+0.7	2.3	+0.3
Massachusetts	2.7	9,074	2.3	1.60	−0.4	3.0	−0.7
Michigan	4.3	14,258	3.6	1.61	−0.7	5.7	−2.1
Minnesota	1.8	4,627	1.2	1.22	−0.6	1.6	−0.4
Mississippi	1.1	1,905	0.5	0.86	−0.6	0.5	—
Missouri	2.2	13,952**	3.5	2.98	+1.3	2.3	+1.2
Montana	0.3	3,095*	0.8	4.46	+0.5	0.3	+0.5
Nebraska	0.7	1,851	0.5	1.25	−0.2	0.5	—
Nevada	0.3	4,773*	1.2	9.78	+0.9	0.4	+0.8
New Hampshire	0.4	1,925*	0.5	2.61	+0.1	0.2	+0.3
New Jersey	3.4	19,169**	4.8	2.67	+1.4	3.5	+1.3
New Mexico	0.5	4,252	1.1	4.19	+0.6	0.6	+0.5
New York	8.5	30,911	7.7	1.70	−0.9	9.1	−1.4
North Carolina	2.5	4,657	1.2	0.92	−1.3	1.7	−0.5
North Dakota	0.3	2,024*	0.5	3.28	+0.2	0.2	+0.3
Ohio	5.0	21,319**	5.3	2.00	+0.3	4.3	+1.0
Oklahoma	1.3	2,933	0.7	1.15	−0.6	1.1	−0.4
Oregon	1.0	9,611**	2.4	4.60	+1.4	1.4	+1.0

Pennsylvania	5.6	14,582	3.6	1.24	−2.0	3.4	+0.2
Rhode Island	0.5	1,773	0.4	1.87	−0.1	0.5	−0.1
South Carolina	1.3	3,471	0.9	1.34	−0.4	1.1	−0.2
South Dakota	0.3	3,066*	0.8	4.61	+0.5	0.2	+0.6
Tennessee	1.9	1,468	0.4	.37	−1.5	1.5	−0.9
Texas	5.6	21,530**	5.4	1.92	−0.2	5.5	−0.1
Utah	0.5	2,168	0.5	2.05	—	0.6	−0.1
Vermont	0.2	1,324	0.3	2.98	+0.1	0.1	+0.2
Virginia	2.3	5,306	1.3	1.14	−1.0	1.8	−0.5
Washington	1.6	3,945	1.0	1.16	−0.6	2.0	−1.0
West Virginia	0.8	2,518	0.6	1.44	−0.2	0.3	+0.3
Wisconsin	2.1	4,347	1.1	0.98	−1.0	1.7	−0.6
Wyoming	0.2	2,115*	0.5	6.37	+0.3	0.1	+0.4
American Samoa	0.01	360*	0.07	4.03	+0.06	NA	NA
Guam	0.04	721*	0.17	1.56	−0.23	NA	NA
Puerto Rico	1.3	978	0.2	0.28	−1.1	0.8	−0.6
Virgin Islands	0.03	1,827*	0.45	13.74	+0.15	NA	NA

*Includes small state supplements.

**Contains an Impact City.

[1]U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population* (Washington, D.C.: Government Printing Office Office, 1972), Table 14, p. I-58.)

[2]GMIS data.

[3]U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States, 1973: Uniform Crime Reports*, (Washington, D.C.: Government Printing Office, 1974), Table 4, pp. 66-76.

Appendix V-5

Distribution of Part C Discretionary and Block Grant Funds to Local Governments by Crime Rate and Population of Recipient Jurisdiction FY 1969–1975

			Muncipalities***		Counties***		Total City/County***	
Size of Population	Percent of Population*	Percent of Crime**	Muncipalities*** Percent Block Grant Funds	Counties*** Percent Discretionary Funds	Total City/County*** Percent Block Grant Funds	Percent Discretionary Funds	Percent Block Grant Funds	Percent Discretionary Funds
Over 1,000,000	13	18	20	13	7	11	14	12
500,000-1,000,000	9	14	11	35	11	15	11	29
250,000-500,000	7	11	10	30	13	19	11	27
100,000-250,000	10	14	16	8	14	16	15	10
50,000-100,000	12	14	12	5	11	10	11	6
25,000-50,000	12	12	9	2	9	3	9	2
10,000-25,000	15	11	8	1	13	6	10	2
1-10,000	22	7	8	1	19	8	13	3
Unknown	-	-	6	7	4	13	5	8

*U.S. Department of Commerce, Bureau of the Census, *Census of Population 1970*, Vol. I (Washington, D.C.: Government Printing Office, 1972), Table 6, p. I-45.

**Of total 1973 index crimes reported by cities, these percentages were reported for cities in the population categories shown, by U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States, 1973: Uniform Crime Reports*, (Washington, D.C.: Government Printing Office, 1973), pp. 104-105.

*** GMIS data.

APPENDIX V-6

Distribution of Part E Discretionary Funds by State FY 1969-1975

State	Percent of Population*	Amount of Part E Discretionary Funds**	Percent of Part E Discretionary Funds**	Percentage Difference Between Discretionary Funding and Population
Alabama	1.7	3,120	1.5	−0.2
Alaska	0.2	905	0.4	+0.2
Arizona	1.0	2,992	1.4	+0.4
Arkansas	1.0	6,895	3.3	+2.3
California	9.7	12,232	5.8	−3.9
Colorado	1.2	8,444	4.0	+2.8
Connecticut	1.4	2,002	1.0	−0.4
Delaware	0.3	795	0.4	−0.1
District of Columbia	0.3	2,062	1.0	−0.7
Florida	3.6	2,530	1.2	−2.4
Georgia	2.3	9,070	4.3	+2.0
Hawaii	0.4	5,583	2.7	+2.3
Idaho	0.4	1,326	0.6	+0.2
Illinois	5.3	9,512	4.5	−0.8
Indiana	2.5	1,486	0.7	−1.8
Iowa	1.3	904	0.4	−0.9
Kansas	1.1	795	0.4	−0.7
Kentucky	1.2	2,416	1.1	−0.1
Louisiana	1.8	9,879	4.7	+2.9
Maine	0.5	905	0.4	−0.1
Maryland	1.9	11,004	5.2	+3.3
Massachusetts	2.7	7,400	3.5	+0.8
Michigan	4.3	4,637	2.2	−2.1
Minnesota	1.8	2,668	1.3	−0.5
Mississippi	1.1	3,615	1.7	+0.6
Missouri	2.2	15,329	7.3	+5.1
Montana	0.3	631	0.3	—
Nebraska	0.7	3,093	1.5	+0.8
Nevada	0.3	2,235	1.1	+0.8
New Hampshire	0.4	1,233	0.6	+0.2
New Jersey	3.4	8,079	3.8	+0.4
New Mexico	0.5	1,578	0.8	+0.3
New York	8.6	5,082	2.4	−6.2
North Carolina	2.5	891	0.4	−2.1
North Dakota	0.3	528	0.3	—
Ohio	5.0	12,587	6.0	+1.0
Oklahoma	1.3	5,921	2.8	+1.5
Oregon	1.0	11,563	5.5	+4.5
Pennsylvania	5.6	2,841	1.6	−4.0
Rhode Island	0.5	728	0.3	−0.2
South Carolina	1.3	5,354	2.5	+1.2
South Dakota	0.3	634	0.3	—
Tennessee	1.9	1,157	0.6	−1.3
Texas	5.6	9,100	4.3	−1.3
Utah	0.5	1,272	0.6	+0.1
Vermont	0.2	938	0.4	+0.2
Virginia	2.3	1,608	0.8	−1.5
Washington	1.6	667	0.3	−1.3
West Virginia	0.8	591	0.3	−0.5
Wisconsin	2.1	1,713	0.8	−1.3
Wyoming	0.2	810	0.4	+0.2
American Samoa	0.01	42	0.01	—
Guam	0.04	50	0.02	−0.02
Puerto Rico	1.3	220	0.1	−1.2
Virgin Islands	0.03	576	0.3	−0.27

*U.S. Department of Commerce, Bureau of the Census, *1970 Census of Population*, (Washington, D.C.: Government Printing Office, 1972), Table 14, p. I-58.

**GMIS data.

Part II

Issues and Recommendations

Chapter VI

Safe Streets and the Block Grant Experiment: Issues and Perspectives

In its 1970 report, "Making the Safe Streets Act Work: An Intergovernmental Challenge," the Advisory Commission on Intergovernmental Relations (ACIR) observed that the Safe Streets Act represented an experiment in Federal-state-local administrative and fiscal relations. The act embodies the Federal government's first comprehensive grant program for assisting state and local efforts to reduce crime and improve the administration of justice. Moreover, the instrument chosen to dispense Federal aid sharply contrasted with the categorical grant orientation of congressional legislation enacted during the 1960's. In the Safe Streets Act the Congress established a major Federal program that embodied the block grant instrument from the outset and depaited from its traditional approach by relying heavily on the states as planners, administrators, coordinators and innovators in the criminal justice area.

More than seven years have passed since the President signed the act into law. During that ti :e, a new profession—criminal justice planning—has :merged. Relationships have been fostered between previously separate and independent components of the state-local criminal justice system. Organizations have been created at the state, substate regional and local levels to perform planning and administrative activities under the program. And more than $4 billion has been spent by the Federal government to assist states and localities in the fight against crime.

What has been accomplished under this highly touted crime reduction program? How well has the block grant experiment worked? What lessons can be learned? This section addresses these and other basic intergovernmental issues raised by the Safe Streets record.

WHAT ARE WE TRYING TO DO?

The legislative history of the Safe Streets Act since 1967 reveals a multitude of objectives reflecting changes over the years in congressional understanding of the nature of the crime problem, responses to pressures from various functional interests, and the need on the part of both the Congress and the Chief Executive to convince the public that the Federal Government was concerned about and dealing with crime. Although unavoidable, the politicization of the crime issue has caused some confusion over what the Safe Streets Act was intended to do, and what it realistically can accomplish.

Conceived in the wake of political assassination, urban civil disorders and campus unrest, the early legislative history of the Safe Streets Act is replete with references to the need for better law enforcement at the state and local levels. The congressional emphasis on curbing domestic violence through more effective police protection at the time was not usually accompanied by recognition that the prosecutorial, judicial and correctional components of the criminal justice system also needed upgrading. The early intent of Congress is perhaps best revealed in the variable matching ratio embodied in the 1968 legislation, under which the Federal government would pay 75 percent of the costs of riot and civil disorder control activities, 60 percent of nonconstruction action programs and 50 percent of construction projects. The predominance of the police in both state planning agency (SPA) policymaking and funding during the initial years of the program, then, came as no surprise.

Although Congress in subsequent amendments to the act revealed a growing awareness of the needs of the criminal justice system and of the desirability of achieving greater balance among the functional components, the basic legislative goals of reducing crime and improving the administration of justice have remained intact. These objectives were reinforced by the executive branch. As crime rates began to level off and decline during the early 1970's, LEAA became the showpiece of the Nixon Administration "law and order" program.

By the mid 1970's, however, crime rates had begun to escalate. In the Ford Administration and in the newly elected Congress, questions were raised as to why the Federal government's anticrime program had apparently failed. Some blamed the states, questioning the optimistic assumptions of the framers of the act that these units could be entrusted with responsibility for improving the state-local criminal justice system. Several asserted that the problem was simply a matter of insufficient Federal funds. Others believed that LEAA had failed to exert strong leadership in finding and communicating solutions to crime, in ensuring that the SPAs prepared comprehensive plans of high quality and in providing effective technical assistance. Still others argued that crime was so rooted in the basic fabric of society that reliance for remedial action on the criminal justice system alone was naive and quite possibly counterproductive. And some concluded that, given these limitations, crime reduction should not be the overriding purpose of the act.

All of the above views have a certain amount of validity. This chapter begins with an analysis of the expectations underlying the act and an assessment of how well they have been achieved. The various charges that have been made against the program will then be examined in light of the implementation record as well as the issues and problems that have arisen in block grant administration.

As pointed out earlier, reducing crime and improving the administration of justice were basic purposes of the Safe Streets Act. Several points of clarification need to be made, however, regarding how this objective would be realized. First, Congress determined that crime is essentially a state and local problem that could be dealt with most effectively by these jurisdictions. Hence, direct national action was not intended. Second, Congress designed the act to be facilitative rather than preemptive. Federal aid was to be used to "improve and strengthen" law enforcement and criminal justice at the state and local levels. Third, the act reflects the realization that, although greater attention should be given to addressing crime problems through a well-integrated criminal justice system, decisions concerning the type of remedial action to be taken should not be confined to the police, prosecutors, judges or corrections professionals. Instead, elected state and local chief executives and legislators, administrative generalists and representatives of the general public also should be involved in such decisions through the comprehensive planning, fund allocation and project approval processes. Fourth, the Congress viewed the use of

Federal funds for fostering innovation, undertaking demonstration projects, and supporting research and development as desirable ways of developing and testing new remedial approaches to crime. Finally, despite these ambitious objectives, the Congress initially considered crime reduction within the relatively narrow context of improving the capacity of the criminal justice system to process offenders. This limited view of deterrence or prevention ignored other basic causes of or influences on crime rates—such as lack of education, unemployment, and public attitudes—that go beyond the scope of a single statute and perhaps beyond the intergovernmental partnership itself.

To sum up, then, the Safe Streets Act attempted to direct Federal funds toward crime reduction in three ways:

- Stimulation of new activity that otherwise would not or could not have been undertaken by recipients, including innovative and demonstration efforts;
- System building through setting in motion a process for planning and decision-making relating to the uses of Safe Streets dollars that would produce as by-products greater understanding and better coordination among police, prosecution and defense, court and corrections interests and between the functional components of the criminal justice system, other criminal justice officials and the general public; and
- System support by providing funds to upgrading existing law enforcement and criminal justice agencies at the state and local levels.

All three of the above approaches have been employed in administering the program since its inception. Their relative priority, however, has changed in response to shifting congressional sentiment, turnover in LEAA's top management and the maturation of SPAs. In many respects, the debate over specific aspects of the Safe Streets record subsumes these basic questions regarding the use of the stimulation, system building and system support strategies to achieve national objectives while maximizing the flexibility and discretion of state and local governments. Keeping in mind the concerns about the proper grant instrument, five broad issue areas need to be addressed: funds, discretion, system building, the generalist vs. specialist question and planning.

HOW MUCH MONEY MAKES A DIFFERENCE?

A key assumption underlying the Safe Streets program is that money makes a difference. That is, the more funds made available, the greater the possibility of reducing crime. This view, which characterized much of the social legislation enacted by Congress during the 1960's, has occasionally been questioned by critics who argue that crime is a deep-rooted community social problem. Hence, governmental financial intervention to improve criminal justice system structure and personnel, even when accompanied by expenditures on education, housing and other community needs, can at best have a limited impact on crime.

To some, the 17 percent increase in reported crimes in 1974 reflects the failure of the Safe Streets program to achieve one of its basic objectives. For that matter, it underscores the lack of success of other Federal, state and local criminal justice agencies in crime reduction, and perhaps reinforces the critics' point of view. Others, however, reach the opposite conclusion. In light of the problems associated with obtaining reliable information on crime incidence, a rise in rates may really indicate better reporting and data collection capabilities.

With respect to Safe Streets, then, a major question is: would more money have produced different outcomes? Even with the benefit of hindsight this question is difficult, if not impossible, to answer. Two observations, however, can be made that help to put the program in perspective. First, the $4 billion spent by LEAA since 1968 is a small fraction—about five percent annually—of the total criminal justice outlays of state and local governments. Second, relative to the amounts of funds available, the program has been oversold in terms of both the objectives to be achieved and the capacity of the block grant instrument.

What results, then, can be reasonably expected from the expenditure of Safe Streets dollars? It seems clear that, despite the system support objective of the act, state and local governments will continue to make approximately 95 percent of the crime reduction outlays from their own sources. Moreover, a substantial amount of these funds will be used for basic equipment, personnel and services.

An analysis of criminal justice spending patterns reveals few significant differences between state

and local direct outlays and their use of Safe Streets assistance in terms of major functional components. In comparison with their own outlays, these jurisdictions tend to devote slightly more Safe Streets monies to corrections and slightly less to police and courts. Despite the planning and funding flexibility inherent in the block grant instrument, the financial threshold does not seem high enough to produce major functional shifts. At the same time, it is quite possible that within each principal component of the criminal justice system, changes could well occur as a result of the Safe Streets program.

Given these constraints, many observers contend that the five percent of the total state-local criminal justice budget accounted for by Safe Streets assistance should be considered seed money. In line with public finance theory, Federal aid would be used to stimulate recipients to attempt approaches to crime reduction that they otherwise would be unwilling or
178 unable to undertake, to test innovative concepts or ideas and to carry out demonstration projects. After Federal funding ended, recipients would be expected to assume the costs of successful activities.

Despite early criticisms of the program that too much of the funds was spent on routine purposes, particularly in the law enforcement area, the available evidence indicates that over time the majority of Safe Streets dollars have been used to initiate new programs and projects that would not have been launched in the absence of Federal aid. Whether or not these are truly new undertakings remains a major source of contention.

Proponents argue that the Safe Streets Act has triggered innovative efforts at both the state and local levels. Even though the amount of support is relatively small, they stress that its marginal utility is great, because the funds are unencumbered by commitments to underwrite the operations of police, court and corrections agencies except in some rural states. In addition, they note that many SPAs have adopted policies excluding from Federal funding basic equipment, routine personnel additions and other activities that should be covered by direct state or local outlays.

On the other hand, skeptics point out that it is nearly impossible to determine the extent to which innovations have been fostered by the program. They concede that, if nothing else, the multifunctional and intergovernmental process for arriving at planning and funding decisions at the SPA and regional planning unit (RPU) levels has accelerated the diffusion of ideas and experiences. Yet new activity and innovative activity are not necessarily the same. In many rural states and in small local jurisdictions, for instance, programs and projects considered to be new and innovative might well be viewed as routine and unimaginative in more urban settings. Moreover, it is claimed, regardless of the degree of newness or innovativeness, recipients have used too much Safe Streets money for short-term, non-instrumental endeavors. For these critics, the reluctance to commit Federal, local, and in some cases, state dollars to long-term efforts that might well produce significant results implies that Safe Streets funds are being wasted. This is exacerbated by LEAA's unwillingness or inability to exercise leadership in developing and enforcing performance standards in connection with comprehensive plans and funding policies.

The above views on funding as they relate to innovation go directly to the type of instrument selected to dispense Federal aid. The block grant approach taken in the Safe Streets Act is designed to enhance funding flexibility within the broad range of activities encompassed by the criminal justice system. The relatively small amount of funds available, coupled with the growing difficulty some recipients are having in assuming costs, means that Safe Streets aid cannot be expected to produce significant changes in the ongoing operations of police, courts and corrections agencies. If, then, Safe Streets funds are seed money, the degree to which they can have a stimulative effect depends on the willingness of the recipient to undertake new, and possibly innovative, activity and to integrate successful experiences into the jurisdiction's criminal justice budget. On the other hand, if recipients view Federal aid as an entitlement, prospects for innovative behavior are reduced.

In summary, when stimulation is the basic purpose of outside assistance, a block grant may not be an appropriate mechanism, particularly if recipients believe that they have a "right" to receive aid. Under these conditions, the block grant functions much like a foreign aid treaty—it is a vehicle for conveying dollars so that grantees may engage in activities with a minimal amount of intrusion by the grantor. In addition, as in the international area, the block grant represents an intergovernmental commitment, from which it is difficult for the Federal partner to extricate itself unless egregious problems occur. Although the available evidence shows that a substantial amount of new activity has been generated at the state and local levels by the Safe Streets Act,

the discretion accorded recipients by the block grant means that Congress and LEAA can do little to influence grantees' behavior. It is difficult for Federal decision-makers, for example, to prevent recipients from spending Safe Streets monies on basic equipment and other routine needs, if they so desire, and practically impossible to ensure that such expenditures supplement and do not supplant normal state and local criminal justice outlays.

If Congress concludes that innovation is the primary purpose of the act and that greater certainty is needed to assure that appropriations will be used for this purpose, then the project-based categorical grant would seem to be the most effective instrument. Attempts to achieve this goal within a block grant lead inevitably to greater Federal intrusion into the state-local decision-making process, thus compromising the integrity of the mechanism. If ongoing support is the goal, then the block grant device is obviously appropriate. If both goals are sought, then a hybrid approach is needed.

DISCRETION: PLAYING THE OLD SHELL GAME?

The preceding discussion of Safe Streets objectives assumes that under a block grant, recipients will have greater discretion in identifying and prioritizing their problems and using funds accordingly, than under a categorical grant. By definition, the revenue sharing approach offers even more latitude and flexibility than a block grant.

It has already been noted that Congress has categorized the Safe Streets Act by earmarking funds for corrections institutions and facilities and for juvenile justice and has required SPAs to use special planning and administrative procedures in these areas. These actions were taken basically to increase accountability and to achieve greater certainty that grantees would use monies in specific ways. Most authorities concur that, however undesirable in light of the "ideal" block grant, the political rationale for such categorization is understandable. Moreover, as yet it has not had major adverse effects on state administration of the program. Hence, Safe Streets supporters conclude, even a hybrid block grant still provides far greater discretion than the project- or formula-based categorical alternatives.

Some local elected and criminal justice officials strongly believe that this discretionary feature is illusory and that to argue its existence is naive, bordering on nonsensical. In the real world of administration, they point out, a block grant is a Federal-state, not a Federal-state-local partnership. Under this arrangement, the state—not local government—is the beneficiary of the discretion, because it becomes the senior partner in determining the uses of funds. The Federal government merely sets a few rules of the game, only occasionally stepping in to overrule the state or direct it to take specific actions.

In the case of Safe Streets, the "realists" contend, the states are given wide latitude by both Congress and LEAA. Block grant funds are allocated among the states in accordance with a statutory formula, and the SPAs are required to pass through an amount proportionate to the local share of total state-local criminal justice expenditures during a specified period. Which jurisdictions receive aid, how much, and for what purpose are all questions decided by SPAs, and by RPUs in states having decentralized planning structures, not by LEAA or local governments. Local governmental and functional interests are represented on the SPA supervisory board, 179
which is supposed to reach balanced and equitable decisions. In fact, it is argued, either SPA professional staff dominate the proceedings and influence the outcome or the decision-making process amounts to little more than logrolling among the functionalists.

Furthermore, the "realists" point out, congressional behavior is only part of the categorization issue. Almost since the inception of the program, LEAA has encouraged the use of functional categories to assure itself, and Congress, that the states are adequately addressing all components of the criminal justice system. Although SPAs may develop their own categorized structure, they are required to cross-reference the program and funding information in their plans to LEAA's standard functional categories, as contained in the annual planning guidelines. Through a variety of methods, SPAs divide their block grant appropriations among the programs that constitute their category structure, resulting in a number of functional "pots." LEAA requires that all SPA expenditure information be reported under the adopted SPA category structure and that, in order to ensure plan implementation, no more than 15 percent of the funds planned for expenditure in one category may be transferred to any other category without prior LEAA approval. Applications are funded from these "pots" until the money has been expended. If more meritorious applications are submitted in a particular area than can be covered by available funds, the SPA will either have to deny funding to some proposals or it will have to transfer funds from underutilized "pots" to cover the deficit.

If this transfer involves more than 15 percent of the funds, the SPA must request LEAA approval of a plan amendment, which is almost always granted.

The categorization of the block grant within a state emanates from the LEAA's need for organized and standardized information about planned and actual use of Safe Streets funds. In operation, it is asserted, the requirements resulting from this informational need have resulted in limiting the flexibility of both the SPA and potential applicants. In some states, the programs to which funds are allocated are so specifically defined as to exclude numerous activities and/or eligible recipients. City and county applicants often find that such categorization ignores local needs and is unresponsive to local initiatives or emergencies. Although the approval of plan amendments is routine, the amount of paper work and administrative hocus-pocus involved in securing most allocation changes leaves
180 many local officials feeling that Safe Streets planning and funding allocation decisions are at best a ritual.

Another line of criticism on the discretionary front involves the absence, until recently, of SPA policies gradually phasing out the Federal share of project funding after a three- or four-year period. Many SPAs have been reluctant to adopt and enforce continuation funding policies because of the need to give long-term support to particular activities that otherwise might be terminated because a grantee's resources are inadequate. As a result of these decisions, on the average about half of a state's annual block grant appropriation is committed to continuing ongoing programs and projects, making it difficult for SPAs to respond readily to changing needs and conditions.

Block grant proponents claim that neither statutory nor administrative categorization has unduly limited the discretion of recipients. They point out that these actions are necessary to ensure both that public funds are being spent as intended and that LEAA will have a basis for determining whether state comprehensive plans meet the needs of the entire criminal justice system.

Although these contentions may be valid, many local officials believe that the Safe Streets program has become a shell game as far as discretion is concerned. The states, not localities, have had their flexibility increased, despite the rhetoric of block grant advocates. The local recipient perceives the program as being too much like a categorical grant in terms of the constraints on the uses of funds and the red tape associated with the receipt of aid. The only major difference is that the state, rather than the Federal government, is making and enforcing the requirements. In light of these facts of life, several city and county chief executives, legislators and criminal justice officials prefer a revenue sharing approach to a perpetuation of the block grant myth and to continuation of the discretionary shell game.

Others contend, however, that wide state discretion is entirely appropriate in light of the pivotal role the states occupy vis-a-vis the state-local criminal justice system. Moreover, they note, despite complaints about red tape, local officials still prefer continuation of the hybrid block grant arrangement to adoption of a completely categorical approach.

THE SEARCH FOR A SYSTEM

A major reason why Congress adopted the block grant instrument for dispensing Safe Streets funds was the wide array of agencies responsible for performing law enforcement and criminal justice functions. Although during the early history of the program, police-related activities commanded the bulk of the attention and resources, gradually the emphasis shifted to a more systemwide perspective. It was recognized that crime reduction is more than a matter of detection and apprehension, that the efficiency with which offenders are processed and the effectiveness with which they are rehabilitated are vital to enhancing respect for the law, reducing recidivism and possibly deterring criminal behavior. To many, the block grant was the device best suited to facilitating communication and coordination among police departments, prosecutors, judges and corrections officials. It was anticipated that these functional component relationships within the block grant framework would eventually foster a genuine criminal justice system. "System," then, applied to police-court-corrections cooperation within individual jurisdictions as well as between cities, counties and the state. A categorical approach, in the judgment of the architects of the Safe Streets Act, would only accentuate the forces of separatism and fragmentation in the criminal justice field.

After seven years, supporters of the Safe Streets program believe that considerable progress has been made in the search for a criminal justice system. They point out that law enforcement and criminal justice agencies have operated in virtual isolation from one another practically since colonial times. The courts still assert their independence under the

separation of powers doctrine, and sheriffs and other law enforcement officials are protected by the constitutions of many states. In light of this state of affairs, obtaining participation of police, court and corrections spokesmen in SPA and RPU supervisory board planning and decision-making is no small feat. Proponents claim that in 1968 the block grant was heralded as the principal means for instilling a system perspective in dealing with crime. While they concede that more needs to be done to strengthen the linkages between the various functional components, they contend that the mechanism is in place and that it is beginning to work well. A mere seven years of effort to achieve system integration cannot, after all, modify drastically the separatist habits of nearly 200 years.

To these observers, the block grant is significant for reasons other than the flexible framework that its broad functional scope provides. Safe Streets assistance, they stress, should be viewed as "glue money," which helps hold together the components of the criminal justice system in at least two major ways. First, action funds are planned for and distributed within a state by an intergovernmental, multi-functional body—the SPA supervisory board. Through these processes, the various functional and jurisdictional interests gain a greater appreciation of the problems and needs of the others, and this key consciousness-raising experience must precede cooperation in day-to-day operations. In many states, this exercise is duplicated or carried out entirely at the substate regional level, with similarly positive results. Secondly, substantial amounts of Safe Streets aid have been used to support joint undertakings of law enforcement and criminal justice agencies, such as communications and information systems, diversion projects for youths, victim and witness programs, and community-based treatment alternatives. Neither of these basic lines of cooperation would be likely to occur within a categorical grant structure, they contend.

For the above reasons, program supporters feel that although the overall amount of Federal dollars is relatively small, the marginal utility is great. Like the seed money function, using Safe Streets assistance as "glue money" can produce significant results that would not otherwise occur because the vast majority of state and local criminal justice resources are committed to ongoing personnel, service or other fixed costs. The major functional components and jurisdictional interests of criminal justice tend to go their own separate ways in the absence of a compelling cohesive force—like the availability of outside funds.

Critics of the block grant approach argue that the Safe Streets Act has produced a very superficial and fragile criminal justice "system." With respect to the chief functional components, they note the continuing capacity of the police to command the lion's share of available resources. Although the average proportion of aid awarded to police departments has declined from two-thirds to two-fifths, they argue, this is still a substantial share, especially when the remainder must be divided among prosecution and defense, courts, corrections, juvenile justice and other functions. If LEAA and the SPAs purport to be concerned about fostering a system, they ask, then why has so much been spent on only the detection and apprehension of suspected offenders?

Another chink in the armor of block grant advocates has been the periodic, but persistent, congressional and LEAA willingness to flirt with categorization. If the block grant works so well in providing a climate conducive to multifunctional and intergovernmental cooperation, skeptics inquire, then why was a separate corrections category added in the 1971 amendments? And why was the Juvenile Justice and Delinquency Prevention Act tacked on in 1974? And why, in 1975-1976, have the Conference of Chief Justices and National Center for State Courts claimed that the judiciary has not received a fair share of available funds and urged Congress to set aside an amount for this purpose? Separation of powers and need considerations aside, it is argued, these developments reveal the instability of the criminal justice alliance. Although the various functional interests appear to be willing to meet together, to discuss common problems and to identify ways of addressing them, the question of "who gets how much" tends to be resolved in favor of those who are best organized and most skilled in the art of grantsmanship. The tendency of the losers or nonparticipants in this contest—first corrections, then juvenile delinquency and now courts—to turn to Congress to redress what they perceive to be an imbalance of power as well as in money reveals the soft underbelly of the block grant—congressional willingness to categorize or earmark and to substitute national priorities for state and local ones.

A related point involves the lack of genuine intergovernmental comity under the block grant. Although the Safe Streets Act calls upon the states to deal with local needs in an effective and equitable

manner, there are few statutory guarantees that this will occur. Almost since the inception of the program, spokesmen for large cities in particular have criticized SPA allocation decisions and bureaucratic layering and delays at the state and regional levels. The National League of Cities-U.S. Conference of Mayors has recently called for the establishment of a separate block grant program for cities or county-city combinations, over 100,000 in population. Their basic concerns have been echoed by the National Association of Counties, which has urged Congress to authorize block grants through the state to local planning regions or to individual urban counties. Hence, block grant opponents note, in addition to functional categorization, an attempt is being made to effect jurisdictional categorization of the block grant.

Another indicator of the unresponsiveness of the block grant mechanism, critics contend, is the LEAA administrator's discretionary fund. This fund, which amounts to 15 percent of the annual congressional appropriation for Part C action programs, has served a variety of purposes. For the most part, LEAA's five administrators have used these dollars to stimulate innovative activity, accelerate the implementation of projects, initiate national priority programs, and undertake research and demonstration efforts. Some observers believe that the presence of these monies has been largely responsible for the survival of the Safe Streets block grant. They charge that, unlike "glue money," it has been used as "putty" to fill the functional and jurisdictional gaps remaining after SPAs have made their allocational decisions. A few contend that these dollars also have been useful in buying political support for the program.

LEAA itself describes the discretionary fund as its categorical program. In terms of the latitude given Federal officials in determining priorities, applying and enforcing conditions, and targeting awards to particular recipients, there are close similarities between discretionary funds and project grants. In the judgment of some, were it not for these funds, the act would have been even more categorized than it already is, owing to the states' inability to convince the Congress that national objectives were being met. The Ford Administration's proposed amendments to the act underscore this basic point, in that they call for increased discretionary funding for court improvements, juvenile delinquency and high-impact crime. Ironically, then, discretionary fund categorization appears to be necessary to prevent further statutory categorization of the block grant.

To summarize, if the Safe Streets Act is expected to have a system-building effect, major obstacles must be surmounted. Although the block grant covers a sufficiently broad scope of activities and provides ample policy latitude to deal with the functional and jurisdictional interests involved in crime reduction, nevertheless, it is extremely difficult to overcome the traditions of state-central city distrust and hostility, police-court-corrections fragmentation and general functional feudalism. The search for a system, then, will take a good deal of time—and considerable patience on the part of the congressional decision-makers.

THE MYTH OF THE GENERALIST

Like other block grants, the Safe Streets Act was designed to enhance the power position of generalists in planning and managing Federal aid. In part, the act was a reaction against some of the excesses that had occurred in many of the categorical grants enacted during the 1960's. Particularly disturbing to some observers were two tendencies associated with project-based categorical grants: (1) the considerable leeway accorded to Federal middle managers in determining which jurisdictions would receive assistance and which would be excluded from funding eligibility or bypassed in program management, how much money would be provided, what activities would be undertaken and their relative priority and what conditions would relate to applying, administering and accounting for Federal dollars; and (2) the tendency of program specialists to deal directly with their counterparts at other levels of government, oftentimes making policy, program and funding commitments without consulting elected chief executive and legislative officials or top administrative generalists. The already feudalistic nature of criminal justice agencies at the state and local level, coupled with fears that the attorney general of the United States would gain too much authority under the Johnson Administration's initial "direct federalism" proposal, set the stage in the late 1960's for putting the specialist "on tap, but not on top" through the block grant device.

Safe Streets is generally perceived as a governor's program, in that the state's chief executive sets up the state planning agency, appoints all or most of the members of the supervisory boards, directs other state agencies to cooperate with the SPA and often

designates regional planning units. Despite this major gubernatorial responsibility, other generalists also have important roles in the program—the state legislature appropriates match and buy-in funds and makes decisions about assuming the costs of projects, while county executives and supervisors, mayors and council members, and chief administrative officers and city managers develop plans and applications for assistance. Normally, county and city chief executive and legislative officials serve on RPU and SPA supervisory boards, especially since the 1973 amendments to the act requiring at least 51 percent of the members of RPU boards to be local elected officials.

Supporters of the Safe Streets program contend that this heavy generalist orientation is a positive sign that some of the problems associated with categorical aids can be avoided. They point out that the participation of mayors and other key local elected officials in regional and state decision-making helps insure that the projects undertaken are responsive to citizen needs, reflect community priorities and are within city and county fiscal capabilities. Furthermore, if top administrative generalists like city managers are involved in developing applications and implementing funded activities, coordination of Safe Streets programs with locally funded criminal justice efforts will be facilitated. Moreover, proponents assert, the prospects for eventual assumption of costs will be increased, because those responsible for budget preparation and taxation decisions will be knowledgeable about and committed to Safe Streets-generated projects practically from the outset.

Critics believe that enhancement of the generalists' power position through the block grant has been a myth. This charge applies to both the state and local levels. They note that, while governors technically have a substantial role in the program, for the most part they are not very interested in, or do not have much time for, SPA affairs. In the majority of states, after deciding where to locate the SPA in the executive branch and appointing the supervisory board, for a variety of reasons the governor has tended not to intervene in its policies or day-to-day operations. In some cases, they concede, he has appointed a close staff associate as director and entrusted this person with responsibility for carrying out his or her implicit wishes. In others, a criminal justice specialist in the governor's office keeps in contact with the SPA. Yet, skeptics observe, many governors look at the SPA primarily as an agency for planning for and dispensing Federal funds. Even the comprehensive plan is viewed more as a compliance instrument than as a device that, with sufficient gubernatorial backing, could help make the SPA an integral part of the state criminal justice system and lead to better coordination of state agency efforts to reduce crime. This, they note, may be partly due to the small amount of Safe Streets monies compared with the state's criminal justice outlays from its own sources. Another factor cited by some critics is that, in light of the political volatility of the crime issue, some governors may be hesitant to become too closely identified with an agency that has a high-risk potential and may become more of a liability than an asset.

Opponents also note the failure of almost every state legislature to do more than appropriate the lump-sum match. The limited legislative awareness and involvement, they claim, is due to the "governor's program" image and to the relatively limited number of Safe Streets dollars available. In addition, they usually cite the antiquated committee structures and procedures, high legislator turnover, inadequate professional staff assistance and other problems endemic to state legislatures across the country that limit oversight capacity. In any event, as a result of these factors, most legislatures, they believe, have no real say in planning and policy decisions, yet are expected to routinely fund programs submitted by the governor and the SPA. This undermines the checks and balances concept, gives too much power to the executive branch and makes it difficult to mesh Safe Streets with other state criminal justice outlays.

At the local level, the critics find that even greater problems are encountered by generalists. The vast majority of local elected chief executives and legislators are part-time officials and this fact is a major constraint on the frequency and effectiveness of their participation in the Safe Streets program. Contrary to what is imagined, these observers argue, such officials do not usually dominate supervisory board proceedings. Partly this is due to the local elected official requirement being interpreted broadly to include criminal justice officials like sheriffs and district attorneys as well as non-criminal justice officials, thus diluting the influence of mayors, county executives and others. In addition, as a practical matter, it must be realized that many of these part-time officials have other public business to attend to in the limited time available. Even when they are able to participate in the Safe Streets matters, they may not have had an opportunity to become well-

acquainted with the issues. Hence, the tendency is to send a criminal justice functionary to represent the local jurisdiction in RPU and SPA deliberations. In both cases, the skeptics emphasize, the potential for the generalist to become a captive of the specialist is high.

To sum up, the block grant provides important incentives to generalist participation. Whether this instrument will enhance the power position of these officials in dealing with program specialists, however, depends largely on factors beyond the influence of the block grant itself. These include the nature and term of office, amount of staff resources and policy interests of the generalists, as well as the degree of fragmentation among local and substate regional units.

THE PLANNING RITUAL

184 Earlier, several criticisms of the Safe Streets planning process were raised in connection with the funding, discretionary and system-building areas. At this point, it is useful to summarize the principal issues involved here.

Supporters of the program assert that the requirement for states to prepare annually a comprehensive plan as a means of triggering their block grant award from LEAA is an extremely valuable component of the block grant instrument. Without comprehensive planning, they argue, no framework would be provided for the interfunctional coordination and consciousness raising that is so vital if crime reduction at the state and local levels is to be addressed in a systematic, as opposed to a fractionated, manner. In addition, LEAA would lack a key indicator of recipients' performance, making effective monitoring and evaluation difficult. Although these observers concede that in many states, comprehensive criminal justice planning is still at a rudimentary stage and is addressed mainly to the projects to receive Safe Streets funding, they point out that prior to 1968 little if any such activity was occurring. In short, the act helped to develop a new profession—criminal justice planning—as well as a new way of dispensing Federal assistance—the block grant. Congressional amendments also have led to the establishment of evaluation units in many SPAs. Considering the state of the planning art, as well as the state of the relationships initially between and among the principal criminal justice components, significant gains have been achieved with a nominal investment of Federal monies. These advocates believe that if more sophisticated system planning and evaluation are expected, then the funds available under the act for these purposes must be increased or the time period for planning must be extended. In addition, governors and legislatures must give SPAs greater authority to collect data from and plan for other state criminal justice agencies and to influence their resource allocation decisions.

Some proponents point to regionalization as illustrative of the potentialities of the planning process. Funded largely from Part B monies, more than 460 RPUs for criminal justice planning have been established across the nation. Because local elected officials constitute a majority of the supervisory board membership, there is assurance that RPU planning and technical assistance will be responsive to both single- and multi-jurisdictional crime problems. The availability of regional professional criminal justice planners also bolsters the capacity of cities and counties to plan for their crime control needs. In the absence of a Safe Streets program, such regional planning and cooperation very likely would not have developed.

Although agreeing with the above positions, others point out that inadequate attention has been given to the unique position of the courts in the Safe Streets program. An executive-branch agency—the SPA—has planned for and awarded funds to the judicial branch. Judges and court administrators have served with prosecutors and public defenders on SPA and RPU supervisory boards as "courts" representatives. These actions, it is contended, have violated the separation of powers doctrine and have compromised the independence of the judiciary. Hence, separate planning and funding processes for the courts need to be established, as was done for corrections. Another suggestion is that court officials prepare the judicial component of the state comprehensive plan and make recommendations to the SPA regarding the funding of projects to implement the plan. In addition to recognizing the importance of separation of powers, this approach would have practical political significance—it would very likely avoid the need for further categorization of the Safe Streets Act to earmark a separate planning and action grant program for the courts.

Critics of the act reply that even though comprehensive criminal justice planning is a relatively new field, much more should have been accomplished in the past seven years in light of the amount of Federal funds that has been made available to support planning activity. They criticize the state plans as being

little more than glorified project lists and they argue that such plans should reflect careful analyses of crime reduction needs, should be based on hard data, should identify linkages between state/local police, prosecutorial, court and correctional agency activities, should contain multiyear projections and should incorporate a well-defined policy framework and other attributes of a sound planning process. They contend that Federal monies intended for professional planners instead have been used to hire grant administrators since, owing to poor management practices, considerable staff time must be devoted to funding decisions and related procedural matters. They assert that SPA evaluation efforts are very limited and produce little impact on planning and funding decisions. As a result, too much paperwork and too little genuine planning occurs at the state level, they maintain.

With respect to regions, Safe Streets opponents claim that in those states that have decentralized planning and administrative responsibilities but not resource allocation authority to regions, the RPUs tend to be paper tigers. Unfortunately, they note, only a few SPAs have delegated substantial authority to regions. In the remainder, the RPUs tend to spend a large amount of staff time on grantsmanship activities on behalf of their constituent localities, and regional "plans" are really shopping lists of local project proposals. In both types of regions, competing city-county and central city-suburban-rural interests may well undermine responsiveness. Another problem here, critics contend, is that half of the RPUs in the country are free-standing; their only relationship to councils of governments (COGs) and other generalist-oriented regional planning bodies is the A-95 review and comment process. Although providing a focal point for criminal justice activity at the regional level, as opposed to the loss of identity that would occur through "piggybacking" a COG with criminal justice planning, this agency separatism impedes functional and jurisdictional coordination and may contribute to the time burdens that participation in regional affairs imposes on local elected chief executives and legislators.

Some attribute the weaknesses of Safe Streets planning to LEAA's failure to establish adequate standards or criteria against which to determine and enforce state plan comprehensiveness. A common complaint of state and some local officials is that the annual planning guidelines are oriented more to financial management and control than to planning. Until recently, they assert, LEAA has been primarily interested in ensuring that all comprehensive plan components specified in the act are incorporated, that action funds are put into appropriate functional categories and that various fiscal and procedural requirements are met. SPA spokesmen assert that LEAA should exercise more positive leadership in setting national standards, assessing state performance and communicating the results of successful programs. Lacking such standards, effective monitoring and evaluation of SPA performance is difficult. Yet, it is noted, evaluation of Safe Streets-funded activities was recognized by Congress in the 1973 amendments to the act as quite important. It appears, then, that LEAA—and many states—have given evaluation a low priority.

To summarize, supporters of the Safe Streets Act believe that comprehensive planning has come a long way despite three basic constraints: (1) the relative newness of criminal justice planning, (2) limited Federal resources, and (3) insufficient SPA authority to engage in genuine system planning. Critics, on the other hand, believe that Safe Streets planning is a charade, or at best a ritual, geared mainly to turning on the Federal funding spigot and keeping the dollars flowing, rather than an instrument for achieving the system-building objective of the block grant.

LESSONS FROM THE SAFE STREETS EXPERIENCE

The Safe Streets Act provides several important lessons about how national purposes can be achieved through the block grant instrument, while at the same time maximizing state and local discretion. It also underscores the differences between the conceptual and operational features of block grants and reveals the compromises and trade-offs that apparently need to be made in order to ensure the effectiveness and perhaps survival of the instrument. At this point, it is useful to summarize our principal findings concerning the block grant experience under the Safe Streets Act and to indicate their significance to intergovernmental policy-makers.

Purpose. The block grant means different things to different people. In part, this is attributable to the high expectations generated by consolidating a number of existing, narrow categorical grants into a broad, visible assistance program covering a wide functional territory or to launching a new, presumably integrated, Federal initiative (such as a War on

Crime) in an area that traditionally had been the almost exclusive domain of state and local jurisdictions. **At least three major purposes of the block grant can be distilled: stimulation, system building and system support. Where a mix of these objectives is sought, the block grant device appears most appropriate. Taken individually, however, it seems that the project grant maximizes opportunities for innovation, formula-based categorical and/or revenue sharing is best suited to system support and the block grant enhances system-building prospects.**

Funding Threshold. When a block grant accounts for a relatively small proportion of total public expenditures in a functional area, it is often difficult to discern an impact resulting from the investment of Federal funds. This is particularly the case when a mix of program objectives is sought – funds tend to be spread (sometimes thinly) among innovative, supportive and systemic undertakings. **If the block grant is expected to produce short-term changes in intergovernmental or functional relationships and show progress in tackling problems it was designed to address, then the funding threshold must be increased substantially relative to state-local direct outlays to generate a "critical mass" for change or the basic objectives must be prioritized to avoid dilution of available resources.**

Discretion. As can be seen from the Safe Streets record, the block grant gives wide discretion to recipients in planning for and allocating Federal funds. Yet, LEAA has often been accused of being too intrusive upon states and localities (as in guidelines) or not intrusive enough (in the case of ensuring plan comprehensiveness, enforcing standards and maintaining fiscal accountability). The block grant forces Federal administrators to walk a tightrope between congressional demands for accountability and state demands for flexibility. While the two demands are not irreconcilable, it is a difficult balance to strike, especially in the absence of clear expressions of congressional intent. **Although it affords recipients maximum flexibility in determining the use of funds, the block grant instrument does not excuse the Federal administering agency from developing and enforcing performance standards, conducting substantive reviews and evaluations of recipients' plans and activities, and exercising other oversight responsibilities – even if this leads to a withholding of funds.**

Categorization. An ideal block grant does not exist. Partly in response to political pressures and partly due to gaps in block grant allocations, the earmarking of assistance categories has been a fact of life with which program administrators have had to reckon. **As the block grant matures, two conflicting patterns emerge: Congress and interest groups become more interested in categorizing, while states become better equipped to achieve functional and jurisdictional balance in funding. The presence of a discretionary fund seems to be an expeditious way of deflecting pressures for earmarking and increasing funding flexibility at the Federal level.**

Generalists. The block grant approach carries with it a functional framework and decision-making process conducive to generalist participation. The Safe Streets experience, however, suggests that it is difficult to harness the rather diverse political, programmatic and personal interests of elected chief executives, legislators and top administrators. **Unless the block grant provides substantial amounts of Federal funds, decentralizes authority to make resource allocation decisions or fills a major program void, generalists will be reluctant to make the time and intellectual commitments necessary for effective involvement. Otherwise, functional specialists and professional staff will dominate policy-making.**

Planning. State criminal justice planning under SPA auspices has been geared largely to the allocation of Safe Streets funds. Too often planning has been eclipsed by grant administration, making the planning process an annual ritual. SPAs have been generally unable, and occasionally unwilling, to plan comprehensively for the state criminal justice system and to seek to influence spending decisions on the part of related state agencies. **If the planning process is considered instrumental to achieving the system-building objective of a block grant, then the state agency responsible for comprehensive planning must have sufficient authority and time to plan for all activities encompassed within the functional scope of the block grant, including those supported directly by state appropriations.**

In conclusion, the Safe Streets Act tells us much about how the block grant experience really works. Subsequently, the record of this program is assessed in light of various changes that might be made in the act, or its administration by LEAA and the states.

Chapter VII

Future Directions

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 was a bold experiment in intergovernmental relations. Like many of the initiatives taken on the domestic front during the Great Society years, the act embodied an ambitious attempt to tackle a deep-rooted problem of our society.

The launching of a major comprehensive Federal aid program in response to mounting public concern about crime and civil disorders generated high expectations for accomplishments resulting from the infusion of Federal funds. The use of a block grant to dispense such assistance raised hopes that many of the administrative and policy problems associated with categorical grants could be avoided. In this atmosphere, certain fundamental features of intergovernmental relationships and the state-local criminal justice system were de-emphasized or overlooked at the time of passage and during the early implementation period.

- The act underscored the belief that money could make a difference in the fight against crime, largely by improving the capacity of law enforcement and criminal justice agencies to apprehend and process offenders. At the same time, it was recognized by some observers that the most significant influences on criminal behavior, including family structure, income, educational process, place

of residence and societal attitudes, could not be significantly affected by the criminal justice system.

- The act was a major element of the War on Crime declared by the Johnson Administration and the "law and order" campaign of the Nixon Administration. Politicization of the crime issue by both the executive and legislative branches contributed to an ambitious and somewhat ambiguous Federal role. While the act declared crime control to be a state and local responsibility, national attention was focused on the Safe Streets Act and the Law Enforcement Assistance Administration (LEAA) as spearheading this effort. Yet, the appropriations level remained at less than five percent of state and local direct expenditures for criminal justice purposes.

- The act stated that a major purpose of Federal financial assistance was to reduce crime by strengthening and upgrading the capacity of law enforcement and criminal justice agencies at the state and local levels. However, it also specified the use of funds for research, development, training and other purposes not directly related to the day-to-day operations of these agencies.

- The act called upon representatives of state and local governments, police departments, judges, prosecutors, defenders, corrections and juvenile delinquency officials, and the general public to cooperate in comprehensive planning, resource allocation, program coordination and other aspects of Safe Streets implementation. Yet, the fragmented nature of the criminal justice system had been deeply ingrained, and in many places conflict between the state government and larger cities and counties had been longstanding. Moreover, prior to 1968 there had been little comprehensive planning in the criminal justice area and few professionals were skilled in this art.

- The act relied upon the states to assume major responsibilities under the block grant arrangement as planners, coordinators, innovators, decision-makers and administrators. On the other hand, spokesmen for the Johnson Administration and many congressmen were skeptical about the states' willingness and capacity to perform these roles effectively, a concern that has been voiced repeatedly throughout the history of the program.

- The act attempted to strike a delicate balance between the achievement of national objectives with the enhancement of recipient discretion and flexibility. Yet, Congress initially attached several statutory "strings" to the use of funds, including variable matching, Federal plan approval and a personnel compensation ceiling. This practice has grown increasingly popular over the years. Furthermore, Congress reserved 15 percent of the annual appropriations for "action" purposes under a discretionary fund to be used by LEAA's administrator much like a categorical grant.

In light of the foregoing, it is not surprising that there are sharply contrasting views of the basic purpose of the Safe Streets Act, the nature of the block grant instrument, the states' planning and administrative experience, the appropriate role of LEAA vis-a-vis the state planning agencies (SPAs) and the statutory changes necessary to better align expectations with reality. To help clarify and resolve these issues, and to discern lessons that might be useful in future considerations of new block grant proposals or assessments of existing programs that rely upon this approach, the Advisory Commission on Intergovernmental Relations (ACIR) conducted an evaluation of the Safe Streets block grant record. The major results of this research effort are summarized in the following findings and conclusions.

MAJOR FINDINGS AND CONCLUSIONS

After seven years, the Safe Streets program appears to be neither as bad as its critics contend nor as good as its supporters maintain. While a mixed record has been registered as between states, on the whole the results are positive. This is not to say,

however, that changes are unnecessary. In brief, the ledger reads as follows:

On the positive side:

Elected chief executive and legislative officials, criminal justice professionals and the general public have gained greater appreciation of the complexity of the crime problem and of the needs of the different components of the criminal justice system.

During the early implementation of the Safe Streets Act, law enforcement-related activities commanded the bulk of the attention and money. As the program matured, a more comprehensive and discerning orientation emerged. It is now generally understood that crime is a complex societal problem that cannot be solved merely by investing substantial amounts of funds in improving the apprehension and processing of offenders. It is also recognized that the efficiency with which offenders are apprehended and processed and the effectiveness with which they are rehabilitated are vital to enhancing respect for the law and possibly to deterring criminal behavior. Much of this consciousness raising was the result of the intergovernmental and multifunctional framework established by the block grant and is a necessary precondition to building an effective criminal justice system.

A process has been established for coordination of efforts to reduce crime and improve the administration of justice.

The Safe Streets Act has provided an incentive for elected officials, criminal justice professionals and the general public to work together in attempting to reduce crime. Representation of these interests on state planning agency and regional planning unit (RPU) supervisory boards has been the chief vehicle for achieving greater cooperation in the day-to-day operations of criminal justice agencies and encouraging more joint undertakings across functional and jurisdictional lines.

At the state level, for example, 40 percent of the SPA supervisory board members represent local government. Of these, 70 percent are law enforcement or criminal justice officials and 24 percent are elected chief executives or legislators. Thirty-seven percent of the membership is accounted for by state spokesmen, while 23 percent represents the general public. This varied representation pattern has helped make activities supported with Safe Streets dollars more responsive to community needs and priorities. In addition, these programs have been more realistic in light of state and local fiscal capacities, and more closely linked with non-Federally funded crime reduction activities than otherwise might have been the case. While the goal of a well-integrated and smoothly functioning criminal justice system has yet to be realized, a solid foundation has been established.

Safe Streets funds have supported many law enforcement and criminal justice activities that recipients otherwise would have been unable or unwilling to undertake.

Although early critics of the program claimed that too much money was spent on routine purposes, particularly in the law enforcement area, the available evidence indicates that most Safe Streets dollars have been used for new programs that would not have been launched without Federal aid. For example, replies from 44 SPAs indicated that nine percent of the activities supported by Safe Streets funds over the years were considered to be innovative in the sense that they were demonstrations of approaches that had never been attempted, and another 21 percent were classified as innovations that had been tried elsewhere but not in their state. Twenty-nine percent were viewed as generally accepted activities that had already been implemented widely in other parts of the country but not in the responding state. Regardless of the degree of innovation involved, however, the program has established a mechanism for diffusing ideas and information about approaches to crime reduction and system improvement and has provided resources to enable states and localities to carry them out.

Another indicator is the policy of several SPAs to prohibit the use of Safe Streets funds for equipment, construction and other routine activities. Other states have attempted to maximize the reform potential of Federal assistance by setting certain eligibility standards for applicants, such as requiring police departments to meet the SPA's minimum standards for police services. Still others have given priority to multijurisdictional efforts, particularly in the areas of law enforcement communications, training and construction.

A generally balanced pattern has evolved in the distribution of Safe Streets funds to jurisdictions having serious crime problems as

well as among the functional components of the criminal justice system.

A persistent complaint since the program's inception has been that not enough money goes to jurisdictions with the greatest needs and that too much goes to police departments. ACIR's 1970 report found that these charges were largely valid at that time. Since then, however, a more balanced funding pattern has emerged. An analysis of LEAA's Grants Management Information System (GMIS) data reveals that since 1969 the 10 most heavily populated states have received more than half of the Part C allocations, compared with a share of less than three percent for the 10 least populous states. Collectively, large cities and counties (more than 100,000 population) experiencing more serious crime problems have received a proportion of Safe Streets action funds in excess of their percentage of population and slightly below their percentage of crime.

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Although there are wide interstate differences with respect to the functional distribution, overall the police proportion has declined and stabilized from two-thirds in FY 1969 to approximately two-fifths by FY 1975. Funding for corrections and courts also appears to have leveled off, the former now accounting for about 24 percent of the funds and the latter, 13 percent. By way of comparison, of the total state-local direct outlays for criminal justice purposes in FY 1973, 58 percent were for police; 23 percent, for corrections; and 19 percent, for courts.

State and local governments have assumed the costs of a substantial number of Safe Streets-initiated activities.

A key barometer of the impact and importance of Safe Streets-supported activities is the extent to which they have been institutionalized and their costs assumed by state agencies and local governments. It appears that once Federal funding ends, a rather high percentage of programs or projects continue to operate with state or local revenues. Although responses to ACIR's questionnaires varied widely from jurisdiction to jurisdiction, the mean estimate by SPAs for the percentage of Safe Streets-supported activities assumed by state and local governments was 64 percent. City and county estimates were even higher, with 83 percent of the former's and 78 percent of the latter's projects estimated as having been assumed.

Many elected chief executives and legislators as well as criminal justice officials believe that the Federal government's role in providing financial assistance through the block grant is appropriate and necessary, and that the availability of Safe Streets dollars, to some degree, has helped curb crime.

Despite rising crime rates, many state and local officials believe that the Safe Streets program has had a positive impact. In part, this can be attributed to the amount of discretion and flexibility inherent in the block grant, which has helped make Federal funds more responsive to recipients' needs and priorities. In some jurisdictions, Safe Streets has been a source of seed money for crime reduction activities that they otherwise would not have undertaken. In others, particularly rural states and smaller localities, block grant support has been used to upgrade the operations of police departments, the courts and corrections agencies.

These officials also believe that actual crime rates would have been somewhat higher without the program. Fifty-four percent of the SPAs reported that Safe Streets funds had achieved great or moderate success in reducing or slowing the growth in the rate of crime, while approximately half of 774 cities and 424 counties surveyed indicated that their crime rates would have been substantially or moderately greater without Federal aid.

On the negative side:

Despite growing recognition that crime needs to be dealt with by a functionally and jurisdictionally integrated criminal justice system, the Safe Streets program has been unable to develop strong ties among its component parts.

The impact of the Safe Streets Act on developing a genuine criminal justice system has been limited, due largely to the historically fragmented relationships among the police, judicial, and correctional functions, traditions of state-local conflict, and the relatively limited amounts of Federal funds involved. Replies from three-fourths of the SPAs surveyed, for instance, indicated that since 1969 the various functional components had only begun to view themselves and operate in a "somewhat" interdependent fashion. Although two-thirds of the RPU respondents saw some signs of growing functional inter-

dependence, most thought that little actual progress had occurred.

Elected and criminal justice officials appear to be willing to meet together, discuss common problems, identify ways of addressing them and coordinate their activities at the state and regional levels. Yet, when the issue of "who gets how much?" is raised, the Safe Streets alliance often breaks down. Those who are best organized and most skilled in the art of grantsmanship have tended to prevail at the state level, while others have appealed to Congress for help. Congress has responded by categorizing the act and earmarking funds in three major areas:

- In 1971 Part E was added to the act, creating a new source of aid specifically earmarked for correctional purposes. Half of these monies is distributed as block grants; the remainder is discretionary funding. In order to receive assistance under this part, states have to maintain their level of correctional funding in Part C grants.
- Also in 1971, big city spokesmen succeeded in getting two other amendments to the act. Local units of general government, or combinations of such units with a population of 250,000 or more, were deemed eligible to receive action funds to establish local criminal justice coordinating councils. Language was added to the planning grant provisions assuring that major cities and counties within a state would receive funds to develop comprehensive plans and to coordinate action programs at the local level. Furthermore, language was added to the effect that states had to indicate in their plans that adequate assistance was being provided to areas of "high crime incidence and high law enforcement activity."
- In 1974, a new statute, the Juvenile Justice and Delinquency Prevention Act, required that action funding for juvenile delinquency programs be maintained at the FY 1972 level in order to receive financial assistance under the Safe Streets Act.

These steps were taken by Congress to increase accountability and achieve greater certainty that grantees would use monies in specific ways. Although as yet there have not been many major adverse effects on state administration, the amendments have converted Safe Streets into a hybrid block grant and have raised questions about the extent of discretion actually accorded to states and localities in tailoring Federal assistance to their own needs and priorities.

Only a handful of SPAs have developed close working relationships with the governor and legislature in Safe Streets planning, policy formulation, budget-making and program implementation, or have become an integral part of the state-local criminal justice system.

The Safe Streets Act is generally perceived as a governor's program because the states' chief executives set up the SPA by executive order (35 states), appoint all or most of the members of the supervisory board (and in six states serves as chairman), direct other state agencies to cooperate with the SPA and often designate regional planning units. Most SPAs report that the governor displays an interest in Safe Streets but does not play an active role in the program. Only nine governors, for example, review the annual comprehensive criminal justice plan and SPA priorities before submission to LEAA. Sixteen SPAs surveyed characterized their supervisory board's relationships with the governor as very independent, while 24 indicated that it involved mainly occasional communication and consultation. Eleven SPAs reported having regular communication and consultation with the governor. Typically, the governor's influence is exercised indirectly through his selection of supervisory board members and appointment of the SPA executive director.

The legislative role in the program is more removed. Although the legislature appropriates matching and buy-in funds, makes decisions about assuming the costs of projects and, in 20 states, sets up the SPA, its awareness of and substantive participation in Safe Streets planning and police matters has been quite limited. This lack of involvement makes it difficult to mesh Safe Streets funds with other state criminal justice outlays and to exercise effective legislative oversight.

SPAs have devoted the vast majority of their efforts to distributing Safe Streets funds and complying with LEAA procedural requirements.

One effect of limited gubernatorial and legislative participation in the program has been the restriction of SPAs to Safe Streets-related activities, even though the block grant instrument is designed to address criminal justice in a systemwide context. Generally, SPAs have not been authorized to prepare comprehensive plans responsive to the overall needs and priorities of the entire criminal justice system, to collect relevant data or to scrutinize appropriations requests. Thirty-three SPAs surveyed indicated that they were not involved in planning and budgeting for state criminal justice activities other than those supported by Safe Streets funds, while 14 reviewed and commented on the budgets of these agencies. Nineteen SPAs provided planning assistance to state criminal justice agencies and 11 performed evaluations of certain state crime reduction programs.

As a result of these limitations, the quality of SPA
192 plans varies widely, as does the extent of implementation. Lacking a genuine frame of reference, Safe Streets planning has been largely directed to the allocation of Federal dollars to particular projects. Because the planning and funding processes tend to be closely linked, many local officials complain that the program has become too immersed in red tape, and SPA officials often contend that too much staff time is devoted to grant administration. In their view, the inadequacy of Part B funds further impedes planning at the state, regional and local levels.

LEAA has not established meaningful standards or criteria against which to determine and enforce state plan comprehensiveness and SPA effectiveness.

Two common complaints of state and some local officials are that LEAA has not developed adequate performance standards for evaluating the quality of state plans and implementation efforts and that it has been spotty in enforcing special conditions attached to the state plan and other requirements. In addition, many SPAs claim that LEAA planning guidelines are oriented more to financial management and control than planning. Until recently, they assert, LEAA has been primarily interested in ensuring that all comprehensive plan components specified in the act are incorporated, that action funds are put into appropriate functional categories and that various fiscal and procedural requirements are met. Although these are important considerations, LEAA has been less concerned with developing operational criteria for making qualitative determinations about plans and implementation strategies. Lacking such standards, effective evaluation of SPA performance is difficult.

Only 11 SPAs indicated that LEAA's application and enforcement of guidelines were very helpful in improving their performance. At least one-fourth of the SPAs reported five of the eight LEAA-mandated sections of the comprehensive plan to be of little or no use.

LEAA's relationship with the SPAs has changed over the years largely in accordance with the program priorities of different administrators and their views on the amount of Federal level supervision and guidance necessary to ensure achievement of the act's objectives. The relationship also has been affected by congressional oversight activities. In general, SPAs would like to see more positive leadership exerted by LEAA in setting national standards, assessing state performance and communicating the results of successful programs.

Excessive turnover in the top management level of LEAA and the SPAs has resulted in policy inconsistencies, instability in professional staffing and confusion as to program goals.

Turnover of top management has been a fact of life in the Safe Streets program. There have been four attorneys general and five LEAA administrators in seven years, and with each new administrator came an internal reorganization of LEAA. The agency was without a permanent administrator for periods which totaled more than one year out of LEAA's seven-year life. The SPAs also have experienced high turnover. New directors were appointed in 23 states from October 1974 through October 1975. The median number of directors SPAs have had since 1969 is three, with a range of one to 15. Assuming that the attrition rates at the Federal and state levels will continue to be high, the need for standards dealing with plan comprehensiveness, funding balance, monitoring and evaluation, and other key aspects of block grant administration seems critical. Otherwise, the problems of inconsistency and uncertainty will persist.

In summary, the block grant approach taken in the Safe Streets Act has helped reduce crime and improve the administration of justice in three ways: stimulation of new activity; coordination of the functional components of the criminal justice system; and support for upgrading the operations of law enforcement and criminal justice agencies. Much has

been accomplished after seven years. Yet, in the Commission's judgment, much more can be done to strike a better balance between national, state and local objectives. The following recommendations are intended to facilitate this process.

RECOMMENDATIONS

The Commission finds that crime reduction and the administration of justice have been and continue to be mainly state and local responsibilities. Yet it is appropriate for the Federal government to provide financial assistance to initiate innovative approaches to strengthening and improving state and local law enforcement and criminal justice capabilities and to disseminate the results of these efforts, to help support the crime reduction operations of state and local agencies and to facilitate coordination and cooperation between the police, prosecutorial, court and correctional components of the criminal justice system. The Commission concludes that the block grant approach contained in Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, generally has been effective in assuring that the national interest in crime prevention and control is being met while maximizing state and local flexibility in addressing their crime problems. However, achievement of these objectives has been hindered by statutory and administrative categorization and by Federal and state implementation constraints.

Recommendation 1: Decategorization

The Commission recommends that:

(a) Congress refrain from establishing additional categories of planning and action grant assistance to particular functional components of the criminal justice system, repeal the Juvenile Justice and Delinquency Prevention Act of 1974 and subsume its activities and appropriations within the Safe Streets Act, and amend the Safe Streets Act to remove the Part E correctional institutions and facilities authorization and allocate appropriations thereunder to Part C action block grants;

(b) Congress refrain from amending the Safe Streets Act to establish a separate program of block grant assistance to major cities and urban counties for planning and action purposes; and

(c) Congress amend the Safe Streets Act to authorize major cities and urban counties, or combinations thereof, as defined by the state planning agency for criminal justice (SPA), to submit to the SPA a plan for utilizing Safe Streets funds during the next fiscal year. Upon approval of such plan, a "mini block grant" award would be made to the jurisdiction, or combination of jurisdictions, with no further action on specific project applications required at the state level.

The major purpose of this recommendation is to give state and local governments maximum flexibility, within the block grant framework, in determining the appropriate mix of the stimulative, supportive and system-building purposes of Safe Streets assistance. It would do so by removing the Part E corrections and certain juvenile justice requirements from the Safe Streets Act, by shifting the funds appropriated under these provisions to Part C action block grants and by urging Congress to refrain from further efforts to earmark funds or to establish separate program categories for particular functional or jurisdictional interests. However, local governments or combinations of such units designated by SPAs would be authorized to submit plans that would be the basis of "mini block grant" awards from the state.

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Functional Categorization

It is now practically conventional wisdom that crime should be dealt with by a criminal justice system rather than by individual functional components operating in isolation from one another. State and local police, court and correctional agencies each need adequate personnel, facilities and equipment. Yet they must also be able to coordinate their efforts in order to reduce crime and improve the administration of justice.

During the early years of the Safe Streets program, the police received the majority of the block grant dollars. In 1971, Congress responded to this imbalance by establishing a separate category within the Safe Streets Act—Part E—for grants for correctional institutions and facilities. Not less than 20 percent of the Part C action appropriations was to be set aside each year for corrections, and states were to give satisfactory assurances in their compre-

hensive plans that Part E would not reduce the amount of action funds available for this purpose. In 1974, the Congress passed the Juvenile Justice and Delinquency Prevention Act and required that action funding for juvenile delinquency programs be maintained at the FY 1972 level in order to receive financial assistance under that act.

The courts have been the most recent functional component to come before the Congress seeking statutory recognition. Their case rests basically on three arguments. First, the separation of powers principle is violated by an executive-branch agency—the SPA—planning for and allocating Federal funds to court-related activities, and the independence of judges is compromised by their participation on SPA supervisory boards. Second, the judiciary has to compete for Federal funds with police, corrections, prosecution and defense and other functional interests, instead of being removed and protected from the political arena. Third, compared with the amounts of Safe Streets monies awarded over the years to police and corrections, the courts' present 16 percent national average is not considered a "fair share." Moreover, court spokesmen assert, the bulk of this amount goes to prosecution and public defender projects, leaving only about six percent of Safe Streets action funds for purely judicial undertakings.

In the Commission's judgment, experience has proved that the block grant approach is the most feasible way to develop an effective intergovernmental criminal justice system. Functional categorization and the earmarking of funds undermine the block grant principle. They raise questions concerning the degree to which Congress is willing to give recipients real flexibility in arriving at an appropriate functional and jurisdictional funding balance and in adapting Federal aid to their own needs. They generate needless duplication of effort and increase administrative cost. Indeed, they strengthen the very functional fragmentation that Congress ostensibly is attempting to curb through the block grant mechanism. By reversing the categorization trend, the act can be a more effective catalyst for police, prosecution and defense, judicial and correctional activities within individual jurisdictions as well as between cities, counties and their state governments.

With respect to the Part E and juvenile justice provisions of the Safe Streets Act, the Commission favors repeal. Although it can be argued that these provisions have had few major adverse effects on state planning and administration, this is not to say that individual states have not experienced or will not experience difficulty in the future. In the case of Part E, while earmarking and maintenance-of-effort requirements have helped make more Safe Streets funds available for correctional institutions and facilities, in some states a balanced funding pattern probably would have occurred in the absence of this amendment as corrections and other interests became better organized, better represented on SPA supervisory boards and more skilled in developing and defending project proposals. The decline and stabilization of the police share over the years and the corresponding increases in the proportion of block grant funds made available to other functional components underscores this belief. In the Commission's view, therefore, these statutory restrictions on states should be removed.

The appropriations levels under the 1974 Juvenile Justice and Delinquency Prevention Act have been relatively low to date and the planning, organizational and maintenance-of-effort requirements have not been burdensome in most cases. The Commission believes that the sections of Title II of the act establishing national and state advisory committees on juvenile justice matters, creating new units within LEAA, and encouraging greater representation of juvenile interests on supervisory boards should be scrutinized to identify overlapping and redundancy with the Safe Streets Act. Removal of such unnecessary provisions could significantly streamline the juvenile justice components of the act. The provisions dealing with matching, pass-through, planning procedures and administrative requirements also need to be reviewed and any inconsistencies with the Safe Streets Act should be eliminated. The requirement for SPAs to prepare and submit an additional functional plan, which may or may not be incorporated into the state comprehensive criminal justice plan, appears to be especially duplicative, time consuming and costly. The maintenance-of-effort provisions also are undesirable, and probably unnecessary. If, as the Commission believes, the problems of juvenile justice and delinquency prevention are so great and the necessary remedial action encompasses both criminal justice and social service agencies, then in addition to eliminating or subsuming the above provisions, Congress should consider raising the authorization and appropriations levels for Part C of the Safe Streets Act to include the amounts provided for under Title II of the 1974 legislation as well as such additional funds as Congress may deem

necessary. However, the states should determine the degree of funding and program emphasis for juvenile justice and delinquency within the overall block grant framework. An arbitrary national level, such as the present maintenance of-effort provision, should be avoided since it ignores significant differences among the states in their needs, resources and priorities in this area.

The Commission is fully aware of the reasons why both functional areas received special attention in amendments to the Safe Streets Act. Moreover, it is sensitive to the need to invest substantially more resources in the rehabilitation of adult and juvenile offenders. Yet these objectives can be accomplished within the framework of the block grant. The states' record in distributing Federal funds, as well as utilizing their own resources, has been steadily improving as SPA planning, managerial and decision-making capacities have increased over the years and as representation on supervisory boards has become more balanced. While there have been some gaps, the Commission is confident that SPAs are equipped to respond effectively to the needs of these and other functional areas.

With respect to the courts, unless our system of justice can guarantee the swift, sure and fair disposition of cases, the public will have little respect for the law, and potential offenders will not be deterred from criminal activity. Court congestion and trial backlog, among other factors, have prevented realization of these objectives. In view of increases in civil and criminal litigation, more resources need to be made available to state and local courts.

The Commission agrees that the unique position of the judiciary warrants special attention in implementation of the Safe Streets Act. The integrity, impartiality and independence of the judicial branch should not be unduly compromised, and the separation of powers principle should not be violated. Yet it must be remembered that the act was designed, in part, to foster a criminal justice system. Provisions requiring comprehensive planning, balanced funding and representation of diverse interests in SPA and regional supervisory board deliberations reflect this ambitious system-building intent. Not to be overlooked also are the facts that Federal funds account for only a small fraction of total criminal justice expenditures at the state and local levels and that the amount allocated to the courts varies from state to state. Although estimates range widely, at this time no reliable data exist on the allocation of these Federal dollars among the judiciary, prosecution and defense, and other functions subsumed within the broad court category.

The Commission recognizes the view of some court spokesmen that establishment of a category of assistance for the courts for planning and action purposes would give appropriate recognition to the separation of powers doctrine and remove the judiciary from the political pressures and entanglements presently associated with the competition for Safe Streets funds. In the Commission's judgment, however, categorization is not the only way to resolve the complex and sensitive issues involved here. A number of procedural options are set forth in Recommendation 7.

While categorization, as was done for corrections, would unduly restrict the flexibility of state and local governments, the Commission believes that more financial assistance needs to be targeted on the judiciary in order to "catch up" with the funding levels of other components of the criminal justice system. Using the administrator's discretionary funds for this purpose is the approach most consistent with the block grant concept. Each year, court-related needs and the SPAs' response to them could be reviewed by LEAA and supplemental monies awarded on a state-by-state basis. This would provide a flexible response to a short-term problem that should eventually be resolved through greater judicial participation in the Safe Streets planning and funding processes at the state level.

Jurisdictional Categorization

Practically since the inception of the Safe Streets program, there has been heated debate over whether SPAs are allocating a proportionate share of action funds to large local units having the greatest crime reduction needs. Although Congress has stated that no state plan is to be approved by LEAA unless it provides for the allocation of adequate assistance to areas having both "high crime incidence and high law enforcement and criminal justice activity," representatives of the nation's cities and counties have argued that both the states' response and LEAA's enforcement have been uneven. They assert that greater amounts of action monies need to be targeted on high-crime areas on a continuing basis. Such concentration of the relatively limited Federal resources, they maintain, is the only way to have an impact on crime reduction. Of the several statutory changes that have been suggested in this regard, two appear to be the most popular: establishment of a separate block grant program for major cities and urban counties, or combinations thereof, adminis-

a portion of their block grant allocation, as determined by a formula emphasizing need factors, into a fund to be used by larger jurisdictions.

The Commission notes the longstanding concern of those who argue that a proportionate amount of Safe Streets dollars should go to areas having the severest crime problems. It is aware that several large cities individually receive substantially fewer funds than their share of state population or reported crimes would appear to warrant. Yet it also recognizes that in several states a jurisdictionally balanced funding pattern has been achieved. Given the fact that crime ignores the boundaries of local government and that interlocal action is often required to detect, apprehend, process and rehabilitate offenders, it is reasonable to view these actions within the framework of a city-county criminal justice system. Counties, after all, have been assigned significant responsibilities in operating the courts and correctional institutions, as well as performing law enforcement functions in unincorporated areas and in some incorporated places. Cities, on the other hand, are heavily involved in providing police protection, and to a lesser degree perform certain prosecutorial and judicial activities. Analysis of the flow of block grant assistance over the years in terms of city-county criminal justice systems across the country reveals that larger jurisdictions have received a portion of action funds generally in accord with their share of population and slightly below their share of reported crime.

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In short, the existing statutory provisions calling upon both LEAA and SPAs to give adequate attention to the needs of high-crime areas appear to have had a positive effect. Although gaps still remain in some states' effort, the Commission is confident that with careful LEAA review of state comprehensive plans, more effective monitoring and evaluation of action programs, and greater representation of elected local chief executives and legislators on SPA and RPU supervisory boards, the responsiveness of these states can be improved and further categorization of the act can be avoided.

At the same time, the Commission is concerned about the need to give greater certainty to local governments that their efforts to identify and prioritize problems and to prepare plans and applications for remedial action will not be in vain. Officials of large counties and cities have contended, for example, that at the local level planning takes place in a vacuum because the amount of funds available for new undertakings is difficult to determine and too much time must be spent developing and defining individual applications. To these observers, the costs associated with obtaining Safe Streets funds may outweigh the benefits derived from such aid. In the Commission's view, steps should be taken to remove the procedural bottlenecks in the program and to reduce administrative costs.

The "mini block grant" arrangement, as practiced in Ohio, can be a significant tool for making Safe Streets implementation at the state and local levels more effective and efficient. Under this procedure, larger local governments designated by the SPA would prepare plans for their crime reduction and criminal justice system improvement needs during the next fiscal year. In determining eligibility, SPAs should emphasize population size (particularly whether the locality exceeds 100,000), crime rates and other appropriate measures of need. The jurisdiction's direct criminal justice expenditures also could be considered in connection with assessing its willingness and capacity to deal with crime problems. Individual units, as well as combinations thereof, meeting these criteria would submit their plans to the SPA for approval. These plans would have been previously reviewed by the A-95 clearinghouse in the region encompassing the applicant jurisdictions and comments would have been attached for SPA consideration. Such plans should be comprehensive, in the sense that they should contain data, analyses and projections similar to those called for in the act with respect to the state plan, and would not be merely shopping lists for projects. Following approval of the local plan, a "mini block grant" award would be made by the SPA to implement the contents. Further applications for individual projects contained in the plan would not be required. It would be the responsibility of the recipient to implement the approved package of projects and to account to the SPA for results. The SPA, of course, would continue to perform monitoring, evaluation, auditing and reporting functions. This packaging procedure, then, could free SPA supervisory board and staff time to devote to planning and policy matters instead of grant management, reduce administrative costs, expedite execution of projects, and give local units a greater incentive to plan for both Safe Streets and non-Federal criminal justice resources.

The Commission is aware that a somewhat similar procedure is already contained in the Crime Control Act of 1973 (the so-called Kennedy amendment). However, the "mini block grant" approach

differs from this provision in two major respects: (1) the eligibility of local jurisdictions would be determined by the SPA rather than confined to a fixed statutory 250,000 population floor for individual units or combinations thereof, thus enhancing state flexibility and making it possible for smaller units having serious crime problems to participate in this arrangement; (2) the present act does not specify that, once a plan has been submitted and approved, no further state-level review and action on individual applications contained therein would be required, making expeditious local implementation uncertain. Largely as a result of these limitations, for example, 71 percent of the 49 respondents to a 1975 survey of the nation's 55 largest cities conducted by the National League of Cities-U.S. Conference of Mayors indicated that the Kennedy amendment had produced no change in local administration of Safe Streets funds.

In the final analysis, the feasibility of the Commission's recommendations for decategorizing the Safe Streets Act and avoiding future actions that would unduly restrict recipients' discretion depends heavily upon Federal and state efforts to ensure that the intent of Congress is being achieved. In particular, the oversight and leadership roles of LEAA would have to be strengthened but kept consistent with the block grant concept. At the same time, the authority and credibility of SPAs need to be increased. Subsequent recommendations seek to achieve these objectives.

Recommendation 2: Personnel Compensation Limits

The Commission recommends that Congress amend the Safe Streets Act to remove the statutory ceiling on grants for personnel compensation.

Salaries constitute a substantial portion of the expenditures of state and local programs to reduce crime and improve the administration of justice. About 90 percent of overall local law enforcement outlays for example are for this purpose. Many jurisdictions, however, still have inadequate numbers of well-trained policemen, correctional officers, prosecutors, judges and other criminal justice professionals. Recent efforts have gone far toward bettering the pay and caliber of police departments, but correctional institutions and courts are still facing serious problems in attracting and retaining qualified personnel. Specialized positions in criminal justice planning and administration, crime research and statistics, and training also are difficult to fill.

In light of the foregoing, the act's provision that no more than one-third of an action grant may be used for personnel compensation has hindered the efforts of some jurisdictions to meet their most pressing need—acquiring sufficient personnel to operate their law enforcement and criminal justice agencies. This requirement restricts the freedom of cities, counties and state agencies to establish priorities and to develop programs to meet their needs. In some cases, it may lead to action grant awards being used for projects of secondary or even lower priority to the recipient.

In calling for elimination of the personnel ceiling, the Commission is fully aware of the continuing concerns of some observers that this action might tempt states and localities to apply for Federal funds only for this purpose, rather than developing innovative proposals for law enforcement and criminal justice system improvements. To some, unlimited Federal funding of state and local personnel might lead to a national police force. These attitudes were a major reason why the Commission recommended in its 1970 report that LEAA be authorized to waive the ceiling on grants for personnel compensation. At that time, it was thought that the personnel needs of state and local government could be considered on a case-by-case basis in conjunction with the broad program goals established in the state comprehensive plan and the national objectives specified in the Safe Streets Act. However, the five years since then have witnessed growing state and local sophistication in criminal justice planning and program development, and a lessening of the fears about a national police force. There has been a marked shift away from funding routine equipment purchases and toward the provision of new services. Partly as a result of these changes, personnel needs have not abated; indeed, in many places they have risen. Hence, retention of the statutory ceiling increases the possibilities for skewing applicants' priorities.

In light of these factors, the Commission believes that the SPAs and LEAA possess the capacity to effectively oversee the use of Federal funds for personnel purposes, as well as the authority to intervene and modify such uses in instances where it is deemed appropriate to do so. This approach maximizes flexibility and encourages decisions based on assessments of an applicant's overall needs rather

than the dictates of an arbitrary statutory provision. It is consistent with both the block grant concept and implementation experience to date.

Recommendation 3: LEAA Oversight

The Commission recommends that LEAA develop meaningful standards and performance criteria against which to determine the extent of comprehensiveness of state criminal justice planning and funding, and that it more effectively monitor and evaluate state performance against these standards and criteria.

This recommendation responds to the complaint of state and some local officials that LEAA has not developed adequate performance standards for evaluating the quality of state plans and SPA implementation efforts.

While LEAA has made an effort through planning guidelines to ensure that the states incorporate all of the components of a comprehensive plan specified in the act and put action funds into related functional "pots," after seven years of experience greater attention needs to be given to more substantive matters. Lacking qualitative standards, effective monitoring and evaluation of SPA performance is difficult, and the bases for plan approval tend to be too subjective.

The Commission believes that these standards and criteria should be process- and management-oriented. They should not address basic changes in the state-local criminal justice system or its functional components, such as those developed by the National Advisory Commission on Criminal Justice Standards and Goals. The following examples of possible performance standards relating to SPA planning and fiscal administration underscore this basic distinction. They are offered merely for illustrative purposes and would need refinement before they could become operational.

Planning

- All SPAs must identify at least their top 10 annual priorities for reducing crime and improving the criminal justice system, indicate the distribution of Safe Streets funds among these priority areas and analyze the relationship with the expenditures and activities of other state and/or local law enforcement and criminal justice agencies.
- All SPAs must identify during the planning process individual projects (including the recipients and amounts of funds), totaling at least 50 percent of the action funds, and report on progress in implementing such projects supported during the previous fiscal year.

Local Participation

- All units of local government eligible for Safe Streets funds must be informed in writing of existing or proposed SPA policies and priorities and the annual availability of Safe Streets funds.
- All units of local government eligible for Safe Streets funds, or regional planning units representing such jurisdictions, must be given an opportunity to review and comment upon the SPA annual comprehensive plan prior to its adoption by the SPA supervisory board and submission to LEAA.

Continuation Funding

- All SPAs must have a formally adopted policy governing the length of time individual programs or projects may receive Safe Streets funds. In no case may individual projects or programs receive the equivalent of more than three years of full Federal funding at a 90-10 matching ratio.
- The total amount of Safe Streets funds committed to funding continuation projects in a given year must now exceed 50 percent of the total state block grant allocation.

Fund Flow

- All SPAs must award at least 90 percent of their total block grant within one year after receipt of the block grant funds from LEAA.

In the Commission's view, to be workable such standards should be formulated by LEAA in conjunction with the National Conference of State Criminal

Justice Planning Administrators and other public interest groups.

The development of national standards should be accompanied by improvements in LEAA's capacity to monitor, evaluate and audit state performance. While reliance on special conditions attached to annual plans by regional offices has been useful on a case-by-case basis, enforcement of state compliance has not been consistent. One result of inadequate Federal administrative oversight has been the pressures for functional and jurisdictional categorization and earmarking described in Recommendation 1.

Despite the wide latitude accorded recipients under the block grant approach, a review of the various provisions of the Safe Streets Act as amended reveals considerable clarity as to both the substance of state plans and action programs and the procedures by which decisions should be made on these matters. The authority of LEAA to generally oversee SPA operations and to specifically ascertain whether they adequately address the needs of high-crime areas, the problems of organized crime and civil disorders, and other congressional priorities is clear. This includes the authority, if not the obligation, to disapprove entire state comprehensive plans instead of their components—something that LEAA has been unwilling to do in all but a handful of cases since 1969. In short, what has often been lacking is not a statutory basis for action but rather an LEAA commitment to enforce the letter as well as the spirit of the law.

The Commission is aware of and encouraged by LEAA's recent efforts, especially in the monitoring and evaluation areas. However, it believes that the pace and priority accorded to these activities—in terms of time, personnel and funds—need to be increased. Moreover, a closer reporting relationship between LEAA and the Congress needs to be established. In particular, organizational responsibility for monitoring, evaluation and auditing needs to be better focused. Each year LEAA should provide detailed reports to the Congress on the status of state comprehensive planning, state-regional-local implementation efforts and LEAA central and regional office operations. The impact of the act on the reduction and prevention of crime and delinquency and on the improvement of the criminal justice system should be assessed. This information would provide a basis for more effective, and it is hoped more frequent, congressional oversight.

The Commission realizes that the establishment of national standards and the upgrading of Federal monitoring, evaluation and auditing functions are difficult, time-consuming and potentially controversial undertakings for all concerned. The Commission is familiar with the difficulties encountered in the course of LEAA's previous efforts to establish SPA performance criteria. The Commission is also sensitive to the constraints imposed by the block grant on the Federal administering agency. And the Commission is aware of the time demands on Congress. Still, at this point in the evolution of the Safe Streets program, it seems essential to begin a serious effort on these fronts if pressures for further statutory categorization are to be abated and if Congress is to be given adequate assurance that the legislative intent of the act is being accomplished.

Recommendation 4: State Planning

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The Commission recommends that in lieu of an annual comprehensive plan, SPAs be required to prepare five-year comprehensive plans and submit annual statements relating to the implementation thereof to LEAA for review and approval.

The scope and quality of the planning effort envisioned under the Safe Streets Act is difficult for many SPAs to attain. The limited authority of most SPAs, tight LEAA plan submission deadlines, inadequate Part B funds and substantial staff time devoted to compliance with Federal guidelines and procedural requirements make comprehensive planning difficult if not impossible. In some states the SPA, RPUs, or local planning agencies may be involved in various phases of three comprehensive plans at the same time—evaluation of one, implementation of another, and data collection and analysis for a third. As a result of these factors, Safe Streets planning has been largely directed to the allocation of Federal dollars.

This recommendation addresses the above problems by modifying the requirements for preparation of an annual plan to more realistically reflect SPA staff capabilities, as well as the time involved in establishing an effective planning process and in producing a quality plan.

The pretense of preparing a comprehensive plan on an annual basis would be scrapped. In its stead, at a maximum, states would have to develop only one plan covering a multiyear period. Annual state-

ments would be submitted to update the plan and report on implementation progress. The intent here would be to focus more attention on a truly comprehensive planning effort involving thorough analyses, based on empirical data, of present and projected needs, and the capacity of existing state and local agencies to deal with them; standards and goals to be achieved; the relationship between Safe Streets-supported activities and direct state, regional and local undertakings; and other factors. This approach would encourage the development of well-integrated strategies to reduce crime and improve the administration of justice. The complaint that "funding forces out planning" would no longer be justified, and the image of state comprehensive plans as glorified shopping lists for projects would be erased; moreover, SPA planning and analytical capabilities would be enhanced.

The Commission recognizes the view of many SPA and local officials that the level of Part B funding has been inadequate. Yet in light of the constraints imposed by the nation's recent economic problems as well as the pressing needs for action funds to help deal with rising crime rates, the Commission is reluctant to recommend increases in appropriations for planning purposes. Instead, it believes that available dollars should be utilized more effectively. A five-year time span for planning is a major way to accomplish this purpose.

A more realistic approach to planning also would improve Federal oversight. LEAA would be able to assure itself, and the Congress, that national priorities were being adequately addressed through review and approval of annual statements on implementation progress and cross-referencing them to the state's comprehensive plan. The scrutiny of these statements and periodic revision of the plan would facilitate monitoring, evaluation and auditing of SPA performance. In short, more effective utilization of Federal, state, regional and local staff, some cost-savings, and a more usable planning document would occur.

Recommendation 5: The Governor's Role

The Commission recommends that governors, and where necessary state legislatures, authorize the SPA to (a) collect data from other state agencies related to its responsibilities; (b) engage in systemwide comprehensive criminal justice planning and evaluation; and (c) review and comment on the annual appropriations requests of state criminal justice agencies.

The state's chief executive normally establishes the state planning agency, names supervisory board members and directs other state agencies to cooperate with the SPA. The governor also may designate regional planning units. In the 35 states lacking a statutory basis for the SPA, these activities are accomplished by executive order and may be periodically changed in response to gubernatorial turnover, executive-branch reorganizations and other factors. Despite their formal responsibilities under the Safe Streets Act, on a day-to-day basis most governors have not played an active role in the program. The governor's influence is generally exercised through the selection of supervisory board members and appointment of the SPA executive director. In part, this level of participation reflects the heavy demands on the chief executive's time, as well as the relatively small amount of funds available under the act.

One effect of limited gubernatorial involvement in the Safe Streets program in many states has been the restriction of the SPA to Safe Streets-related activities, even though the block grant instrument is supposed to address criminal justice in a systemwide context. With few exceptions, SPAs have not been authorized to collect criminal justice data from other state agencies, to develop comprehensive plans for the entire criminal justice system or to influence state resource allocation decisions through the review and comment on the appropriation requests of its law enforcement and criminal justice agencies. Neither the representation of these agencies on supervisory boards nor the provision of planning and technical assistance to them have been successful in enabling SPAs to become a more integral part of the state criminal justice system. As a result, SPAs are still viewed largely as planners for and dispensers of Federal aid.

This recommendation is designed to enhance the SPA's authority and credibility by making it responsible for systemwide planning and providing access to the criminal justice information necessary to effectively discharge this function. While the Commission does not believe it appropriate to specify the most desirable location of the SPA in the executive branch, it seems preferable that, in light of the review and comment role vis-a-vis appropriations requests for state criminal justice purposes, it be closely affiliated with an agency having responsibility for resource allocation decisions for the crim-

inal justice area—such as a department of justice, budget office or the state's general planning agency—instead of being a freestanding unit or a subdivision of a particular functional department such as public safety.

Recommendation 6: The Legislature's Role

The Commission recommends that, where lacking, state legislatures (a) give statutory recognition to the SPA, including designation of its location in the executive branch and the establishment of a supervisory board; (b) review and approve the state agency portion of the states' annual comprehensive criminal justice plan; (c) include Safe Streets-supported programs in the annual appropriations requests considered by legislative fiscal committees; and (d) encourage the public safety or other appropriate legislative committees to conduct periodic oversight hearings with respect to SPA activities.

Although the legislature appropriates matching and buy-in funds, makes decisions about assuming the costs of projects and, in 20 of the states, sets up the SPA, its awareness of and substantive participation in Safe Streets has been quite limited. This is due partly to the fact that the program is still viewed as the governor's, as well as to the relatively low funding level. In too many states, the legislature has no real say in planning and policy decisions, yet is expected routinely to fund programs submitted by the governor and the SPA. Lack of legislative involvement makes it difficult to mesh Safe Streets with other state criminal justice outlays, to exercise effective oversight, and to relate this program to any broader efforts to reform the criminal justice system.

This recommendation is geared to increasing legislative participation and to moderating the governor's program image. Providing a statutory basis for the SPA would enhance its stability and would particularly help reduce the confusion occurring when a new governor assumes office and/or a new SPA executive director is appointed. It is the commission's view that in designating the composition of the supervisory board, the legislature should include an appropriate number of its own members appointed by the leadership.

The review and approval of state agency portions of the state plan and consideration of Safe Streets-supported activities together with other annual appropriations would provide an opportunity for the legislature to have a major input into both planning and funding. With respect to the former, the legislature's approval of this document and its annual updates, would give them official status as a policy framework for the development of a coordinated statewide strategy to deal with law enforcement and criminal justice needs. Each legislature should decide whether a general review or a program-by-program consideration of the plan is in order. If the latter, then the legislature would have an opportunity to scrutinize, and possibly modify, the policy decisions of the governor and SPA supervisory board.

Turning to finances, requests for Safe Streets matching and buy-in funds would be reviewed against the plan and either lump sum or line item appropriations would be made. Under this arrangement, the policy-making process for Safe Streets would follow that used for non-federally funded programs, under which the governor would submit programs and a budget to the legislature for its approval, modification or disapproval. The SPA would relate to the legislature in much the same manner as other state agencies. Coupled with the periodic oversight by substantive committees, this recommendation would substantially increase the legislature's role and responsibilities in priority setting for criminal justice, regardless of the source of funds. At this point, the State of Michigan has come closest to adopting this model; most legislatures, however, do not appropriate all Federal funds prior to their expenditure by state agencies.

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Not to be overlooked, of course, is the willingness and capacity of the legislature to enter the Safe Streets area. Some legislative bodies would not be equipped to do so, in light of the biennial nature of or limitation on the duration of sessions, high turnover, fragmented committee structure, insufficient staff assistance and other factors. Particularly in states having biennial sessions, it would be necessary for the legislature to designate individual legislators or a committee to perform the functions called for in this recommendation during the interim period. But these are questions of overall legislative strength and authority. Their impact on the criminal justice area generally and the Safe Streets program in particular only dramatizes how necessary it is to shed these shackles. Authoritative reforms in and adequate fiscal support for state-local criminal justice systems, after all, depend heav-

ily on the posture of the legislative branch.

The legislature, then, should not be precluded from participation if it so desires. This recommendation provides a channel for such involvement, with the net result being a pattern of shared authority between the executive and legislative branches and conceivably greater encouragement for the SPA's to focus more effort on systemic problems in the criminal justice area that concern the legislatures.

Recommendation 7: The Courts

The Commission recommends that SPAs give greater attention to needs of the courts, while recognizing their unique constitutional position, by (a) providing for greater participation by representatives of the judiciary on the supervisory boards; (b) increasing the proportion of action grants awarded for the judiciary and for court-related purposes; and (c) establishing, where feasible, a planning group representing the courts to prepare plans for and make recommendations on funding to the SPA.

As indicated in Recommendation 1, the Commission agrees with those who argue that greater attention needs to be given to the courts in the Safe Streets program. At the same time, it believes that establishment of a separate category of assistance as in the corrections case would be undesirable, since it would unduly restrict the flexibility of state and local governments and be contrary to the spirit of the block grant. Instead, the Commission considers the present SPA mechanism to be in need of certain modifications to increase its responsiveness to the courts. More judicial representation on the supervisory board is in order, and more encouragement to judges to participate in SPA affairs needs to be given. In part, the funding pattern for courts reflects this inadequate representation and reluctant involvement, and efforts to reverse these tendencies ought to result in greater support for court activities. A 1975 study by the Special Study Team on LEAA Support of the State Courts, for example, found that in states having judicial participation in the SPA's planning process, generally a larger share of action funds was awarded to court programs.

Turning to separation of powers, some viable procedural options are available here. Basically, court planning should be vested in the judiciary. The Commission supports the creation of a body composed of state and local judges, court administrators and others to formulate plans for court needs, obtain local input, prioritize proposals and make recommendations for consideration by the SPA. This could be done by the legislature, the governor or the SPA. Although the SPA would scrutinize the court plan and the recommendations for implementation contained therein, the presumption would be that more often than not they would be approved and funded. While the Commission does not believe that a specific target funding level is appropriate, a minimal guide for SPAs to consider is the relationship between the proportion of Safe Streets funds allotted for judicial branch activities and that of state-local direct criminal justice outlays for this purpose.

This basic arrangement has been used successfully by California. It seems to be a desirable way to ensure the independence of the judiciary without undermining the comprehensive criminal justice planning efforts of the SPA.

Recommendation 8: Generalist Participation

The Commission recommends that Congress amend the Safe Streets Act to (a) define "local elected officials" as elected chief executive and legislative officials of general units of local government, for purposes of meeting the majority representation requirements on regional planning unit supervisory boards, and (b) encourage SPAs that choose to establish regional planning units to make use of the umbrella multijurisdictional organization within each substate district.

A key feature of the block grant instrument is the enhancement of the power position of elected chief executives and legislators and top administrative generalists *vis-a-vis* functional specialists. For example, the Safe Streets Act calls for the creation of intergovernmental, multifunctional supervisory boards at the state, and where used, regional levels. In the 1973 amendments to the act, Congress affirmed this position by requiring that a majority of the members of regional planning unit boards be local elected officials. However, some confusion has arisen over who qualifies as a "local elected official." In some states, sheriffs are considered in this category. This imprecision leads to inconsistent representational policies and effectively thwarts the objective of Congress in mandating such

representation. For example, approximately one-third of the regional and local officials responding to an ACIR survey indicated that the 1973 requirement had produced no effect on RPU supervisory board decision-making. Hence, in the Commission's judgment, the act should specify that "local elected official" refers to elected chief executives and legislators—not elected law enforcement or criminal justice functionaries.

Interstate diversity characterizes the designation and use of regional planning regions. About half still are freestanding multi-county or single-county entities and are linked to generalist-oriented multifunctional planning bodies such as councils of governments (COGs) only by the A-95 review and comment process. With the exception of the few states that have used a "mini block grant" approach, most regions prepare plans, help constituent localities develop applications, provide a forum for communications, and furnish other technical assistance. Yet it appears that this plethora of single-function, limited-authority regional bodies is not an efficient or effective way to plan for criminal justice needs. After all, crime reduction is related to many other concerns—environment, health, economic development, transportation and the like—that also have regional significance. Moreover, in view of the relatively limited amount of Part B planning funds available under the act, many RPUs are inadequately staffed and too subject to shifts in the fiscal winds at the state and Federal levels. In the Commission's view, integration of criminal justice planning with COGs and other federally supported planning efforts embodying some of the components an umbrella multijurisdictional organization framework—such as that recommended by the Commission in its 1973 report, "Regional Decision-Making: New Strategies for Substate Districts"—would enhance functional coordination, bolster the credibility of the plan, improve the utilization of professional planning staff, and increase monitoring and evaluation efforts.

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In conclusion, the block grant approach taken in the Safe Streets Act still is on trial. The seven-year record is not unblemished. However, considering the complexity of the crime problem, the relatively limited amounts of available Federal funds, the historic separation of the functional components of the criminal justice system and the infancy of criminal justice planning at the end of the 1960s, significant achievements have been attained by all levels in implementing the act. The Commission urges the Congress to let the experiment continue, to reverse the categorization trend, and to give LEAA and the states the resources and guidance they need to tackle one of society's most pressing and perplexing problems.

☆ U. S. GOVERNMENT PRINTING OFFICE : 1977 722-782/253

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(NOVEMBER 1976)

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The Commission is composed of 26 members—nine representing the Federal government, 14 representing state and local government, and three representing the public. The President appoints 20—three private citizens and three Federal executive officials directly and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors' Conference, the Council of State Governments, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Congressmen by the Speaker of the House.

Each Commission member serves a two year term and may be reappointed.

As a continuing body, the Commission approaches its work by addressing itself to specific issues and problems, the resolution of which would produce improved cooperation among the levels of government and more effective functioning of the federal system. In addition to dealing with the all important functional and structural relationships among the various governments, the Commission has also extensively studied critical stresses currently being placed on traditional governmental taxing practices. One of the long range efforts of the Commission has been to seek ways to improve Federal, state, and local governmental taxing practices and policies to achieve equitable allocation of resources, increased efficiency in collection and administration, and reduced compliance burdens upon the taxpayers.

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